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FILE NO. 111245 MOTION NO. M12-001

[Appointment, Treasury Oversight Committee - Peter Goldstein]

Motion appointing Peter Goldstein, term ending June 5, 2013, to the Treasury Oversight Committee.

WHEREAS, The Treasury Oversight Committee for the City and County of San Francisco is established as an advisory body to the Treasurer to review and monitor the investment policy annually prepared by the Treasurer, and to cause an annual audit to be conducted to examine the structure of the investment portfolio and risk; and

WHEREAS, The Members of the Treasury Oversight Committee, as an advisory board to the Treasurer, shall be confirmed by and serve at the pleasure of the Board of Supervisors to fulfill the duties set forth above; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointment by the Treasurer of the following designated person to serve as member of the Treasury Oversight Committee, pursuant to the provisions of the San Francisco Administrative Code, Sections 10.80-1 through 10.80-5, for the term specified:

Peter Goldstein, succeeding Don Griffin, resigned, seat 4, must be the Chancellor of the Community College District, or his/her designee, for the unexpired portion of the term expiring June 5, 2013.

GOVERNMENT
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City and County of San Francisco

Tails

Motion: M12-001

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 111245 **Date Passed:** January 10, 2012

Motion appointing Peter Goldstein, term ending June 5, 2013, to the Treasury Oversight Committee.

December 08, 2011 Rules Committee - RECOMMENDED..

January 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 111245

I hereby certify that the foregoing Motion was APPROVED on 1/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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AMENDED IN BOARD
1/10/12

FILE NO. 111367 MOTION NO. M12-003

[Adopting Findings Related to the Conditional Use Authorization - 3901 Mission Street]

Motion adopting findings supporting the Board's decision to 1) disapprove the decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street; and 2) to approve Conditional Use Authorization on property located at 3901 Mission Street subject to all of the conditions imposed by the Planning Commission by its Motion No. 18442, regarding Application No. 2011.0664C, and further subject to additional conditions imposed by the Board of Supervisors on December 13, 2011.

The appellant, Tom Cantrell, on behalf of College Hill Neighborhood Association, filed a timely appeal on October 17, 2011, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2011.0664C), approved by Planning Commission Motion No. 18442 dated September 15, 2011, pursuant to Planning Code Sections 711.83 and 303, to authorize the installation of wireless telecommunications facility consisting of eight panel antennas and related equipment on an existing one-story commercial building as part of the AT&T wireless telecommunications network within a NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, on property located at 3901 Mission Street, Assessor's Block No. 5802, Lot No. 044.

The San Francisco Planning Commission adopted the Wireless Telecommunications Services ("WTS") Facilities Siting Guidelines in August of 1996 ("Guidelines") to assist the Planning Department in its consideration of applications for conditional use authorization to install WTS facilities. These Guidelines are not binding on the Board of Supervisors. The

Guidelines establish location preferences for installation of WTS facilities throughout the City. The location preferences set forth seven categories, with location preference one being the most preferred sites, and location preference seven being the most disfavored sites. The property located at 3901 Mission Street falls within a location preference four, a preferred location for an industrial or commercial structure.

On December 13, 2011, the Board of Supervisors conducted a duly noticed public hearing on the appeal from the Planning Commission's approval of the conditional use authorization referred to in the first paragraph of this motion. Following the conclusion of the public hearing on December 13, 2011, the Board voted to disapprove the decision of the Planning Commission (Planning Commission Motion No. 18442 dated September 15, 2011) and denied the issuance of the requested Conditional Use Application No. 2011.0664C, by a vote of 11-0. The Board then moved to authorize conditional use referred to in the first paragraph of this motion, subject to all of the conditions imposed by the Planning Commission in its Motion No. 18442 dated September 15, 2011, and further subject to the additional condition that:

1. Use is authorized as long as an independent evaluator, selected by the Planning Department with input from the parties, determines that the information and conclusions submitted by applicant in support of its request for conditional use are accurate. Applicant shall fully cooperate with the valuator and shall provide any and all data requested by the evaluator to allow the evaluator to verify that the maps, data, and conclusions about service coverage submitted by applicant are accurate. Applicant shall bear all costs of said evaluation. The independent evaluation, upon request by applicant, shall keep the submitted data confidential and shall sign a confidentiality agreement acceptable to applicant. The independent evaluator shall be a professional engineer licensed by the State of California.

In considering the appeal of the approval of the requested conditional use authorization, the Board reviewed and considered the written record before the Board and all of the comments made in support of and in opposition to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 18442 dated September 15, 2011.

FURTHER MOVED, That the Board of Supervisors took notice that the project was categorically exempt from environmental review pursuant to exception Class 3 of Title 14 of the California Administrative Code. The Board finds that there have been no substantial changes in project circumstances and no new information of substantial importance that would change the determination of categorical exemption issued by the Planning Commission.

FURTHER MOVED, That the Board of Supervisors finds that:

1. The written and oral information provide by the applicant to the Board was not objectively verified and the applicant was therefore unable to demonstrate credibly that the proposed WTS facility is necessary for the neighborhood or the community, contrary to the requirements of Section 303(c)(1) of the Planning Code.

2. The public testimony at the public hearing and the public documentation submitted in support of the appellant's objections to the decision of the Planning Commission supported the appellant's position that there is no necessity for the proposed WTS facility to be approved and installed for residential or business purposes in the neighborhood or the community because the proposed WTS facility is not necessary to meet the applicant's present service demands within the geographic service area defined by the applicant.

3. Contrary to the information submitted by the applicant prior to and during the December 13, 2011, public hearing, the evidence, including testimony of residents in the geographic area, marketing and advertising data of the applicant, information contained on the applicant's web-site and the study of an engineer, showed that the applicant presently had acceptable service in the geographic area of the proposed WTS facility.

4. In the event the applicant is able to demonstrate to an independent evaluator that applicant's own data supports the accuracy of the maps, data, and conclusions about service coverage and capacity submitted by applicant during this appeal, then Conditional Use is supported as set forth in the Planning Commission Motion No. 18442 dated September 15, 2011. The independent evaluator should be selected by the Planning Department, with input from both parties, the evaluator should be an engineer licensed in the State of California. The applicant should submit any data requested by the evaluator and should cooperate fully with the evaluator. The evaluator should maintain in confidence any data submitted to the evaluator by the applicant.

5. There is nothing in the record to suggest that the Board's decision in this case will unreasonably discriminate against the applicant in favor of providers of functionally equivalent services.

6. There is nothing in the record to suggest that the Board's decision in this case will limit or prohibit access to the applicant's WTS in the geographic area of the proposed site.

7. There is nothing in the record to suggest that the decision in this case will prevent the applicant from filling a significant gap in WTS provided to remote users of those services in the geographic area of the proposed site.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion No. 18442 dated September 15, 2011, and denied the issuance of Conditional

Use Authorization No. 2011.0664C, and approved the issuance of requested Conditional Use Application No. 2011.0664C, subject to the conditions imposed by the Planning Commission in its Motion No. 18442, and further subject to the additional conditions imposed by the Board of Supervisors on December 13, 2011.

City and County of San Francisco
Tails
Motion: M12-003

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 111367 **Date Passed:** January 10, 2012

Motion adopting findings supporting the Board's decision to 1) disapprove the decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street; and 2) to approve Conditional Use Authorization on property located at 3901 Mission Street subject to all of the conditions imposed by the Planning Commission by its Motion No. 18442, regarding Application No. 2011.0664C, and further subject to additional conditions imposed by the Board of Supervisors on December 13, 2011.

January 10, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague

January 10, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague

File No. 111367

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 1/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 111291 MOTION NO. M12-004

[Motion confirming the appointment of Bryant Tan to the Entertainment Commission]

Motion confirming the appointment of Bryant Tan to the Entertainment Commission, term ending July 1, 2015.

WHEREAS, Pursuant to Charter Section 4.117, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Bryant Tan to the Entertainment Commission, received by the Clerk of the Board of November 22, 2011; and

WHEREAS, The Board of Supervisors has the authority to hold a public hearing and vote on the appointment within sixty days following the transmittal of the Mayor's Notice of Appointment, and the failure of the Board to act on the nomination within the sixty day time period shall result in the nominee being deemed approved; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination for the appointment of Bryant Tan to the Entertainment Commission, for a term ending July 1, 2015.

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City and County of San Francisco
Tails
Motion: M12-004

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 111291 **Date Passed:** January 10, 2012

Motion confirming the Mayor's appointment of Bryant Tan to the Entertainment Commission, term ending July 1, 2015.

December 15, 2011 Rules Committee - RECOMMENDED

January 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 111291

I hereby certify that the foregoing Motion was APPROVED on 1/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Board
1/10/12

FILE NO. 111266 **MOTION NO.** M12-005

[Appointments, Market and Octavia Community Advisory Committee]

Motion appointing Krute Singa, Michael Simmons, Kenneth Wingard, Dennis Richards, and Jason Henderson, terms ending December 16, 2012, to the Market and Octavia Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Market and Octavia Community Advisory Committee, pursuant to the provisions of Ordinance No. 72-08 and Resolution No. 474-08, for the terms specified:

Krute Singa, seat 1, succeeding Marius Starkey, term expired, must be a resident renter and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.

Michael Simmons, seat 2, succeeding Carmela Gold, term expired, must be a resident homeowner and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.

Kenneth Wingard, seat 4, succeeding himself, term expired, must be a local merchant and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.

Dennis Richards, seat 5, succeeding himself, term expired, must be a representative of an established neighborhood group and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.

Jason Henderson, seat 6, succeeding himself, term expired, must be a member at large and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.

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City and County of San Francisco
Tails
Motion: M12-005

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 111266 **Date Passed:** January 10, 2012

Motion appointing Krute Singa, Michael Simmons, Kenneth Wingard, Dennis Richards, and Jason Henderson, terms ending December 16, 2012, to the Market and Octavia Community Advisory Committee.

December 15, 2011 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

December 15, 2011 Rules Committee - RECOMMENDED..

January 10, 2012 Board of Supervisors - DIVIDED

January 10, 2012 Board of Supervisors - APPROVED AS DIVIDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 111266

I hereby certify that the foregoing Motion was APPROVED AS DIVIDED on 1/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

AMENDED IN BOARD
1/10/12

FILE NO. 111302 MOTION NO. M12-006

[Appointment, Entertainment Commission]

Motion appointing Steven Lee, term ending July 1, 2014, to the Entertainment Commission.

WHEREAS, Pursuant to Charter Section 4.117, the Board of Supervisors shall appoint three members to the Entertainment Commission; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Entertainment Commission for the term specified:

Steven Lee, succeeding Timothy Benetti, seat 2, resigned, shall represent the interests of entertainment associations or groups, for the unexpired portion of a four-year term ending July 1, 2014.

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Tails

Motion: M12-006

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 111302 **Date Passed:** January 10, 2012

Motion appointing Steven Lee, term ending July 1, 2014, to the Entertainment Commission.

December 15, 2011 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

December 15, 2011 Rules Committee - RECOMMENDED

January 10, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 6 - Avalos, Chiu, Cohen, Kim, Mar and Olague
Noes: 5 - Campos, Chu, Elsbernd, Farrell and Wiener

January 10, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 111302

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 1/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 111294 MOTION NO. M12-007

[Affirming Certification of Final Environmental Impact Report - SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project.

WHEREAS, The proposed Project would expand the existing San Francisco Museum of Modern Art located at 151 Third Street (Assessor Block 3722, Lot 78) and relocate Fire Station No. 1 from its existing 676 Howard Street location (Assessor Block 3722, Lot 28) to 935 Folsom Street (Assessor Block 3753, Lot 140). The project proposes demolition of the existing 7,620-square-foot, 4-story-over-basement building at 670 Howard Street (Assessor Block 3727, Lot 027), and demolition of the existing 4,400-square-foot, 2-story Fire Station No. 1 at 676 Howard Street, as well as vacation of a 115-by-30-foot land-locked portion of Hunt Street located between 151 Third and 670 and 676 Howard Street to accommodate the museum expansion. SFMOMA would construct an approximately 200-foot-tall, 230,000-square-foot building addition at the rear of the 151 Third Street building and on the 670-676 Howard Street parcels and the vacated Hunt Street right-of-way, extending from Minna Street to Howard Street, in order to display the museum's existing and future art collections and to consolidate its support functions on site. Additionally, the existing building at 935 Folsom Street would be demolished, the site subdivided, and a new 15,000-square-foot, 2-story-plus-mezzanine, approximately 34-foot-tall replacement fire station would be constructed on the northern portion of the parcel fronting Folsom Street. At-grade parking would be provided for 15-vehicles on this site. On the southern portion of the 935 Folsom Street site, a 4-story,

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approximately 43-foot-tall future residential building would be constructed comprising up to 13 residential units and 10 off-street parking spaces in the building's basement level; and

WHEREAS, The Planning Department determined that an environmental impact report was required for the Project and prepared a Notice of Preparation ("NOP") of an Environmental Impact Report and an Initial Study on October 27, 2010, analyzing the potential environmental impacts of the proposed project. The NOP/Initial Study was circulated for 30 days for public comment and review; and

WHEREAS, On July 11, 2011, the Department published the Draft Environmental Impact Report ("DEIR") for the Project (Planning Department Case Nos. 2009.0291E and 2010.0275E); and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR, on August 11, 2011, at which time opportunity for public comment was provided on the DEIR, and written comments were received through August 25, 2011; and

WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Comments and Responses Document; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available and the Comments and Responses document, all as required by law; and

WHEREAS, On November 10, 2011, the Planning Commission reviewed and considered the FEIR and, by Motion No. 18484 found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18484 the Commission found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Comments and Responses document contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the FEIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, On November 10, 2010, by Motion No. 18486 the Commission adopted CEQA Approval Findings, including a statement of overriding considerations and a Mitigation Monitoring and Reporting Program, and approved the Project; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated November 30, 2011, Christine W. Griffith, on behalf of the KSSF Enterprises Ltd, owner of the W Hotel San Francisco, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around November 30, 2011; and

WHEREAS, On January 10, 2011, this Board held a duly noticed public hearing to consider the appeal of the FEIR certification filed by Appellant; and

WHEREAS, This Board has reviewed and considered the FEIR, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before this Board by reference in this motion; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. 18484 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

City and County of San Francisco

Tails

Motion: M12-007

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 111294 **Date Passed:** January 10, 2012

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project.

January 10, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague

File No. 111294

I hereby certify that the foregoing Motion was APPROVED on 1/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 111362 **MOTION NO.** M12-008

[Final Map 5954: 634 – 636 Plymouth Avenue]

Motion approving Final Map 5954, a Six Lot Subdivision Project, located at 634 - 636 Plymouth Avenue, being a subdivision of Assessors Block No. 7067, Lot No. 014; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 5954", comprising 3 sheets, approved December 2, 2011, by Department of Public Works Order No. 179,807 is hereby approved and said map is adopted as an Official Final Map 5954; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated July 9, 2010, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Mohammed Nuru

Interim Director of Public Works

DESCRIPTION APPROVED:

Bruce St

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco

Tails

Motion: M12-008

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 111362 **Date Passed:** January 10, 2012

Motion approving Final Map 5954, a Six Lot Subdivision Project, located at 634 - 636 Plymouth Avenue, being a subdivision of Assessors Block No. 7067, Lot No. 014; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

January 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 111362

I hereby certify that the foregoing Motion was APPROVED on 1/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amended in Board
1/24/12

FILE NO. 120023 MOTION NO. M12-9

[Appointments, Redevelopment Successor Agency Oversight Board - Nadia Sesay, Olson Lee, John Rahaim, and Bob Muscat]

Motion confirming the Mayor's appointments of Nadia Sesay, Olson Lee, John Rahaim, and Bob Muscat to the Redevelopment Successor Agency Oversight Board.

WHEREAS, ABX1 26 was passed by the California State Legislature and signed by Governor Jerry Brown in June 2011, and was largely upheld by the California Supreme Court in *California Redevelopment Association v. Matosantos*, -- P.3d --, 12 Cal. Daily Op. Serv. 32 (Dec. 29, 2011); and

WHEREAS, That legislation established an Oversight Board responsible for the fiscal management of the assets of the former City and County of San Francisco Redevelopment Agency, other than affordable housing assets designated to it under California Health and Public Safe Code sections 34180 and 34181; and

WHEREAS, State law requires the Redevelopment Successor Agency Oversight Board to be composed of seven members selected as follows: three members appointed by the Mayor and subject to confirmation by the Board of Supervisors; one member appointed by the Bay Area Rapid Transit District, the largest special district, by property tax share, with territory in the territorial jurisdiction of the former Redevelopment Agency; one member appointed by the County Superintendent of Education to represent schools; one member appointed by the Chancellor of the California Community Colleges to represent community college districts; and one member appointed by the Mayor and subject to confirmation by the Board of Supervisors to represent the largest number of employees currently employed by the former Redevelopment Agency; and

WHEREAS, Redevelopment Successor Agency Oversight Board members serve at the pleasure of the appointing body or individual; and

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WHEREAS, Under California Health and Safety Code Section 34179, any individual may serve on the Oversight Board at the same time as holding an office of the City and County of San Francisco; and

WHEREAS, The Mayor has appointed Nadia Sesay, Olson Lee, John Rahaim and Bob Muscat to the Redevelopment Successor Agency Oversight Board, and has submitted those nominations to the Board of Supervisors for confirmation, as required by State law; and

WHEREAS, Bob Muscat will represent the largest number of employees currently employed by the former Redevelopment Agency because he is the Executive Director of Professional and Technical Engineers, Local 21, the labor organization representing the largest number of employees of the former Redevelopment Agency; and

WHEREAS, The four members of the Oversight Board appointed by the Mayor and subject to confirmation by the Board of Supervisors shall serve at the pleasure of the Mayor for a term of four years; provided, however, the Mayor shall designate two initial appointees to serve a two-year term, and all subsequent terms shall be four years; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointments of Nadia Sesay, for a term of four years, Olson Lee, for a term of four years, John Rahaim, for a term of two years, and Bob Muscat, for a term of two years, to the Redevelopment Successor Agency Oversight Board; and, be it

FURTHER MOVED, That the foregoing appointments to the Redevelopment Successor Agency Oversight Board shall commence once that body is established, but no earlier than the date on which the Redevelopment Agency is dissolved and its assets are transferred to the City by operation of State law.

City and County of San Francisco

Tails

Motion: M12-009

City Hall
1 Dr. Carlton B Good'ett Place
San Francisco, CA 94102-4689

File Number: 120023 **Date Passed:** January 24, 2012

Motion confirming the Mayor's appointments of Nadia Sesay, Olson Lee, John Rahaim, and Bob Muscat to the Redevelopment Successor Agency Oversight Board.

January 19, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

January 19, 2012 Rules Committee - REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT AS AMENDED

January 24, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

January 24, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120023

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 1/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120004 MOTION NO. M12-10

[Appointment - San Francisco LAFCO]

Motion appointing Supervisor Eric Mar, as an alternate member, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission.

Government Code Section 56325 provides that the Local Agency Formation Commission shall consist of either four members of the Board of Supervisors, or three members of the Board of Supervisors and the Mayor. All four members are appointed by the Board of Supervisors. These four members shall select a public member to serve as the fifth member. The Board must also select two alternate commissioners.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as an alternate member of the Local Agency Formation Commission, pursuant to the provisions of Government Code Section 56325, for the term specified:

Supervisor Eric Mar, succeeding himself, term expired, seat 5, must be a city officer or a member of the legislative body, for a term ending February 4, 2014.

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City and County of San Francisco
Tails
Motion: M12-010

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120004 **Date Passed:** January 24, 2012

Motion appointing Supervisor Eric Mar, as an alternate member, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission.

January 19, 2012 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

January 24, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague and Wiener
Excused: 1 - Mar

File No. 120004

I hereby certify that the foregoing Motion was APPROVED on 1/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amended in Board
1/24/12

FILE NO. 111359 MOTION NO. M12-11

[Affirming certification of The 34th America's Cup & James R. Herman Cruise Terminal and Northeast Wharf Plaza Projects FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup & James R. Herman Cruise Terminal and Northeast Wharf Plaza Projects.

WHEREAS, The proposed Projects include the 34th America's Cup Project (AC34 or AC34 Project) and the James R. Herman Cruise Terminal/Northeast Wharf Plaza Project (Cruise Terminal Project)—two related but independent projects with overlapping locations and construction activities and interrelated operational schedules; and

WHEREAS, The proposed AC34 Project is a series of international sailing races and related events to be hosted by the City in summer/fall 2012 and in summer/fall 2013 and held in central San Francisco Bay. The proposed AC34 Project includes construction of both temporary and permanent facilities at a number of project sites to accommodate all aspects of AC34 facilities and services supporting the events, including team bases and operations, support space, media operations, hospitality services, sponsored commercial space, and entertainment and spectator areas. Temporary and permanent improvements (including seismic upgrades, fire, safety, and access improvements; roof, deck, and wall repairs; and dredging) would be constructed at sites managed by the Port of San Francisco (including Pier 29½, Piers 27-29, Pier 23, Pier 19½, Pier 19, Pier 9, Pier 26, Pier 28, Piers 30-32, and Pier 80; water basins/water areas at Piers 29 31 water area, Northeast Wharf Open Water Basin between Piers 19 and 27, Pier 9 water area, portion of Rincon Point Open Water Basin south of Pier 14 and water area north of Pier 14, Piers 26-28 water area, Piers 28-30 water area, and the Brannan Street Wharf Open Water Basin from Pier 32 to Pier 36; and Seawall Lot 330), as well as at venues under the jurisdiction of other city, state, or federal agencies,

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including Crissy Field, Crissy Field East/Marina Green West, Marina Green, Fort Mason, Aquatic Park, Alcatraz Island, Fort Baker Pier at Cavallo Point (near Sausalito in Marin County), San Francisco Civic Center, Union Square, and Justin Herman Plaza. A proposed America's Cup Village would be located at Marina Green in 2012 and at Piers 27-29 in 2013. A helipad located on the southeast corner of Treasure Island would be used to serve as a temporary staging location for broadcasting and media operations. Under the proposed Project, most existing tenants currently leasing and occupying Port facilities to be used for AC34 venues would be displaced prior to the AC34 2012 event. The proposed Project includes the development of a number of event-related implementation plans addressing transportation management, waste management, parks event operations, sustainability, environmental and safety requirements, water and air traffic management, public safety, youth involvement and workforce development. The proposed AC34 Project includes temporary public access improvements along The Embarcadero Promenade and at the Pier 43 Promenade, as well as permanent public access improvements at Pier 19, Pier 23, and in the open space at the intersection of Third Street and Cargo Way in the southern waterfront. The proposed Project includes a request to amend the San Francisco Bay Conservation and Development Commission San Francisco Waterfront Special Area Plan ("SAP") to permit temporary berthing at Brannan Street Wharf, Rincon Point, Broadway, and Northeast Wharf Open Water Basins during the AC34 events. The SAP amendments would also include a determination of public benefits that could trigger fill removal at a number of sites along the Port's waterfront properties. The Project also includes certain conditional long-term development rights at selected Port facilities, including potential development of permanent marinas, which development rights were analyzed at a general level with the expectation that additional environmental review would be conducted when one or more specific proposals for development on the individual sites are submitted to the City; and

WHEREAS, The Cruise Terminal Project proposes to develop a new passenger cruise terminal at Piers 27-29 designed to meet modern ship and operational requirements of the cruise industry, consisting of two stories approximately 91,200 square feet in size; occupying a footprint of approximately 46,100 square feet; and containing a large baggage claim area, check-in and waiting/seating areas, Customs and Border Protection and other security offices, processing and screening facilities, storage, utilities, and other facilities. Under the proposed Project, the Port would demolish the existing Pier 27 shed and construct a new facility which would become the primary cruise terminal; Pier 35 would be retained as a secondary terminal. An approximately 3-acre ground transportation area would provide space for access, dropoff, and exiting by trucks, taxis, buses, and passenger vehicles. As part of the proposed Project, the Port also proposes to construct the Northeast Wharf Plaza—an approximately 2½-acre public open space along the west end of Pier 27 designed for passive recreation and integrating the historic Pier 29 Belt Line office building and proposed landscaping and restroom facilities. The proposed Project also includes an application for an amendment to the SAP to build the proposed James R. Herman Cruise Terminal and the Northeast Wharf Plaza and to allow berthing of cruise vessels in the Northeast Wharf Open Water Basin; and

WHEREAS, Construction of the two Projects would be carried out in two phases: construction of Phase 1 would be timed to accommodate the AC34 Project, and would include demolition of the existing Pier 27 shed, a portion of the Pier 29 shed, and the Pier 27 annex building and construction of the cruise terminal core building and shell to be used for the AC34 events at Piers 27-29 during 2013; Phase 2 of the construction would include further construction and improvements to complete the Cruise Terminal Project, including completion of certain interior space and facilities within the cruise terminal building, installation of exterior maritime equipment, finishing of the ground transportation area, and construction of the Northeast Wharf Plaza; and

WHEREAS, The Planning Department determined that an environmental impact report was required for the Project and prepared a Notice of Preparation ("NOP") of an Environmental Impact Report and an Initial Study on February 9, 2011, analyzing the potential environmental impacts of the proposed project. The NOP/Initial Study was circulated for 30 days for public comment and review; and

WHEREAS, On July 11, 2011, the Department published the Draft Environmental Impact Report ("DEIR") for the Project (Planning Department Case No. 2010.0493E); and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR, on August 11, 2011, at which time opportunity for public comment was provided on the DEIR, and written comments were received through August 25, 2011; and

WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Comments and Responses Document; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available and the Comments and Responses document, all as required by law; and

WHEREAS, On December 15, 2011, the Planning Commission reviewed and considered the FEIR and, by Motion No. 18514 found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18514 the Commission found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Comments and Responses document contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the FEIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, On December 16, the San Francisco Port Commission adopted CEQA Approval Findings, including a statement of overriding considerations and a Mitigation Monitoring and Reporting Program, and approved the Project; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated December 16, 2011, Keith G. Wagner of Lippe Gaffney Wagner LLP, on behalf of San Francisco Tomorrow, Golden Gate Audubon Society, Waterfront Watch, and Telegraph Hill Dwellers, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around December 19, 2011; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated January 4, 2012, Rebecca Evans, on behalf of the Sierra Club, San Francisco Group, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around January 4, 2012; and

WHEREAS, Chapter 31 of the Administrative Code requires the Board of Supervisors to consolidate multiple appeals of the same project or projects and to hold one hearing on all appeals received; and

WHEREAS, On January 24, 2011, this Board held a duly noticed public hearing to consider the appeal of the FEIR certification filed by all Appellants; and

WHEREAS, This Board has reviewed and considered the FEIR, the appeal letters, subsequent written correspondence, the responses to concerns documents that the Planning Department prepared, all other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before this Board by reference in this motion; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. 18514 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines; and be it further

MOVED, That this Board of Supervisors expects that further environmental review, which may include one or more EIRs, will be prepared for the specific long-term development proposals that the America's Cup Event Authority or its assignee(s) may submit to the City as contemplated in the 34th America's Cup Host and Venue Agreement, and that such environmental review will analyze the specific characteristics of the development proposal(s) and take into account the specific characteristics of the proposal(s) and the surrounding circumstances at the time the individual development proposals are submitted to the City for review.

City and County of San Francisco
Tails
Motion: M12-011

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 111359 **Date Passed:** January 24, 2012

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29.

January 10, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

January 24, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague

January 24, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague

File No. 111359

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 1/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120034 MOTION NO. M12-12

[Final Map 5565: 421 Arguello Boulevard]

Motion approving Final Map 5565, an Eight Unit Residential Condominium Project, located at 421 Arguello Boulevard, being a subdivision of Assessor's Block No. 1433, Lot No. 003; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5565", comprising 2 sheets, approved December 23, 2011, by Department of Public Works Order No. 179, 850 is hereby approved and said map is adopted as an Official Final Map 5565; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated April 30, 2009, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Mohammed Nuru
Interim Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco

Tails

Motion: M12-012

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120034 **Date Passed:** January 24, 2012

Motion approving Final Map 5565, an Eight Unit Residential Condominium Project, located at 421 Arguello Boulevard, being a subdivision of Assessor's Block No. 1433, Lot No. 003; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

January 24, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120034

I hereby certify that the foregoing Motion was APPROVED on 1/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120035 MOTION NO. M12-13

[Final Map 6460: 19 Tehama Street]

Motion approving Final Map 6460, a Four Unit Residential and One Unit Commercial Mixed-Use Condominium Project, located at 19 Tehama Street, being a subdivision of Assessor's Block No. 3736, Lot No. 079; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 6460", comprising 3 sheets, approved December 23, 2011, by Department of Public Works Order No. 179, 851 is hereby approved and said map is adopted as an Official Final Map 6460; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated November 3, 2011, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Mohammed Nuru
Interim Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-013

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120035 **Date Passed:** January 24, 2012

Motion approving Final Map 6460, a Four Unit Residential and One Unit Commercial Mixed-Use Condominium Project, located at 19 Tehama Street, being a subdivision of Assessor's Block No. 3736, Lot No. 079; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

January 24, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120035

I hereby certify that the foregoing Motion was APPROVED on 1/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120036 **MOTION NO.** M12-14

[Final Map 6892: 411 - 415 Valencia Street]

Motion approving Final Map 6892, a 16 Unit Residential and Two Unit Commercial Mixed-Use Condominium Project, located at 411 - 415 Valencia Street, being a subdivision of Assessors Block No. 3554, Lot No. 027; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 6892", comprising 2 sheets, approved December 8, 2011, by Department of Public Works Order No. 179, 832 is hereby approved and said map is adopted as an Official Final Map 6892; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated October 26, 2011, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:	DESCRIPTION APPROVED:
Mohammed Nuru	Bruce R. Storrs, PLS
Interim Director of Public Works	City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-014

City Hall
1 Dr. Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120036 **Date Passed:** January 24, 2012

Motion approving Final Map 6892, a 16 Unit Residential and Two Unit Commercial Mixed-Use Condominium Project, located at 411-415 Valencia Street, being a subdivision of Assessors Block No. 3554, Lot No. 027; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

January 24, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120036

I hereby certify that the foregoing Motion was APPROVED on 1/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120037 **MOTION NO.** M12-15

[Final Map 5773: 1501, 1503, 1513, and 1515 Waller Street; and 701 and 703 Clayton Street]

Motion approving Final Map 5773, a Four Unit Residential and Two Unit Commercial Unit, Mixed-Use Condominium Project, located at 1501, 1503, 1513 and 1515 Waller Street; 701 and 703 Clayton Street, being a subdivision of Assessors Block No. 1253, Lot No. 001; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5773", comprising 2 sheets, approved December 20, 2011, by Department of Public Works Order No. 179, 842 is hereby approved and said map is adopted as an Official Final Map 5773; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated March 1, 2010, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Mohammed Nuru
Interim Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-015

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120037 **Date Passed:** January 24, 2012

Motion approving Final Map 5773, a Four Unit Residential and Two Unit Commercial Unit, Mixed-Use Condominium Project, located at 1501, 1503, 1513, and 1515 Waller Street; 701 and 703 Clayton Street; being a subdivision of Assessors Block No. 1253, Lot No. 001; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

January 24, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120037

I hereby certify that the foregoing Motion was APPROVED on 1/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120009 MOTION NO. M12-016

[Appointment - California State Association of Counties]

Motion appointing Supervisor Eric Mar, term ending November 28, 2012, to the California State Association of Counties Board of Directors.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoints Supervisor Eric Mar, member of the Board of Supervisors, as a member to the California State Association of Counties Board of Directors, for the term specified:

Supervisor Eric Mar, succeeding himself, term expired, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a one-year term ending November 28, 2012.

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Tails

Motion: M12-016

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120009 **Date Passed:** January 31, 2012

Motion appointing Supervisor Eric Mar, term ending November 28, 2012, to the California State Association of Counties.

January 19, 2012 Rules Committee - RECOMMENDED

January 31, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague and Wiener
Excused: 1 - Mar

File No. 120009

I hereby certify that the foregoing Motion was APPROVED on 1/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
1/19/12

FILE NO. 120010 MOTION NO. 12-017

[Appointment - Board of Appeals – Richard Hillis]

Motion approving the Mayor's appointment of Richard Hillis to the Board of Appeals for the term ending July 1, 2012.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Richard Hillis to the Board of Appeals, received by the Clerk of the Board on December 14, 2011; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Richard Hillis to the Board of Appeals term ending July 1, 2012.

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City and County of San Francisco

Tails

Motion: M12-017

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120010 **Date Passed:** January 31, 2012

Motion approving the Mayor's appointment of Richard Hillis to the Board of Appeals, for the term ending July 1, 2012.

January 19, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

January 19, 2012 Rules Committee - RECOMMENDED AS AMENDED

January 31, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120010

I hereby certify that the foregoing Motion was APPROVED on 1/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120013 **MOTION NO. 12-018**

[Appointment, Association of Bay Area Governments Executive Board]

Motion appointing Supervisor Carmen Chu, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Executive Board, Association of Bay Area Governments, for the term specified:

Supervisor Carmen Chu, succeeding Supervisor Ross Mirkarimi, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2013.

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Motion: M12-018

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120013 **Date Passed:** January 31, 2012

Motion appointing Supervisor Carmen Chu, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board.

January 19, 2012 Rules Committee - RECOMMENDED

January 31, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Chu

File No. 120013

I hereby certify that the foregoing Motion was APPROVED on 1/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120033 MOTION NO. M12-19

[Confirming Appointment, City Administrator – Naomi Kelly]

Motion appointing the Mayor's appointment of Naomi Kelly to a five-year term as City Administrator under Charter Section 3.104.

WHEREAS, Charter Section 3.104 provides that "The Mayor shall appoint or reappoint a City Administrator, subject to confirmation by the Board of Supervisors;" and

WHEREAS, Mayor Lee has appointed Naomi Kelly as City Administrator; and

WHEREAS, The Board of Supervisors wishes to confirm the Mayor's appointment of Naomi Kelly as City Administrator; now, therefore, be it

MOVED, That the Board of Supervisors confirms the Mayor's appointment of Naomi Kelly as City Administrator, for a term ending five years from the effective date of this motion.

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City and County of San Francisco
Tails
Motion: M12-019

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120033 **Date Passed:** February 07, 2012

Motion confirming the Mayor's appointment of Naomi Kelly to a five-year term as City Administrator under Charter Section 3.104.

January 26, 2012 Rules Committee - RECOMMENDED

February 07, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Campos

File No. 120033

I hereby certify that the foregoing Motion was APPROVED on 2/7/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole
in Committee Bearing New Title – 2/2/12

FILE NO. 120073 MOTION NO. M12-20

[Appointment, Planning Commission]

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Cindy Wu to the Planning Commission, for the term ending July 1, 2012.

WHEREAS, Pursuant to Charter Section 4.105, the Board President has submitted a communication notifying the Board of Supervisors of the nomination of Cindy Wu to the Planning Commission, received by the Clerk of the Board on January 27, 2012; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the President's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the President's nomination of Cindy Wu to the Planning Commission for the unexpired portion of the term ending July 1, 2012.

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City and County of San Francisco
Tails
Motion: M12-020

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120073 **Date Passed:** February 07, 2012

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Cindy Wu to the Planning Commission, for the term ending July 1, 2012.

February 02, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

February 02, 2012 Rules Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

February 07, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Campos

File No. 120073

I hereby certify that the foregoing Motion was APPROVED on 2/7/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120006 MOTION NO. M12-21

[Approving Planning Commission Decision Related to Conditional Use Authorization - 601-14th Avenue]

Motion approving decision of the Planning Commission by its Motion No. 18503, approving Conditional Use Authorization identified as Planning Case No. 2011.0198C on property located at 601-14th Avenue, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission's December 8, 2011, Conditional Use Authorization identified as Planning Case No. Case No. 2011.0198C, by its Motion No. 18503, under Planning Code Sections 209.6(b) and 303 to remove existing omni antennas and install a wireless telecommunications facility consisting of up to four panel antennas concealed in one faux chimney located on the northern portion of the roof and related equipment in the basement of a three-story publicly-used structure (Bureau of Jewish Education) as part of AT&T's Wireless Telecommunications Network within the RM-1 (Mixed, Low Density) Zoning District, and a 40-X Height and Bulk District, on property located at:

601-14th Avenue, Assessor's Block No. 1630, Lot No. 001.

be and the same is approved.

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City and County of San Francisco

Tails

Motion: M12-021

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120006 **Date Passed:** February 07, 2012

Motion approving decision of the Planning Commission by its Motion No. 18503, approving Conditional Use Authorization identified as Planning Case No. 2011.0198C on property located at 601-14th Avenue, and adopting findings pursuant to Planning Code Section 101.1.

February 07, 2012 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague and Wiener
Noes: 1 - Mar
Excused: 1 - Campos

File No. 120006

I hereby certify that the foregoing Motion was APPROVED on 2/7/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120071 MOTION NO. M12·022

[Appointment - Child Care Planning and Advisory Council]

Motion appointing Deepa Mehta, term ending April 19, 2013, to the Child Care Planning and Advisory Council, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Child Care Planning and Advisory Council, pursuant to the provisions of the San Francisco Administrative Code, Section 5.200, and California Education Code, Sections 8499-8499.8, for the term specified:

Deepa Mehta, seat 6 (residency requirement waived), succeeding Judith Baker, resigned, must be a nominee of District 6 Supervisor selected from: a parent advisory council of public and private child care programs; an association of a child care center, a family day care provider and Head Start; a public interest organization including but not limited to the Child Care Law Center; a community organization; the Bay Area Employer Work and Family Coalition; and a member of labor organization and local organization that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending April 19, 2013.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Child Care Planning and Advisory Council has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Deepa Mehta, a new appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Child Care Planning and Advisory Council.

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3. The Child Care Planning and Advisory Council has attempted to fill the position, for which Deepa Mehta was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Deepa Mehta is qualified to serve on the Child Care Planning and Advisory Council.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Child Care Planning and Advisory Council at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Deepa Mehta, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco

Tails

Motion: M12-022

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120071 **Date Passed:** February 14, 2012

Motion appointing Deepa Mehta, term ending April 19, 2013, to the Child Care Planning and Advisory Council, residency requirement waived.

February 02, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

February 02, 2012 Rules Committee - RECOMMENDED..

February 14, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120071

I hereby certify that the foregoing Motion was APPROVED on 2/14/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title – 2/2/12

FILE NO. 120074 MOTION NO. M12-023

[Appointment - Board of Appeals]

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2012.

WHEREAS, Pursuant to Charter Section 4.106, the Board President has submitted a letter notifying the Clerk of the Board of Supervisors of the nomination of Arcelia Hurtado to the Board of Appeals, received by the Clerk of the Board on January 27, 2012; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the President's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the President's appointment of Arcelia Hurtado to the Board of Appeals for the unexpired portion of the term ending July 1, 2012.

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City and County of San Francisco
Tails
Motion: M12-023

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120074 **Date Passed:** February 14, 2012

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2012.

February 02, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

February 02, 2012 Rules Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

February 07, 2012 Board of Supervisors - CONTINUED

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Campos

February 14, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120074

I hereby certify that the foregoing Motion was APPROVED on 2/14/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120064 MOTION NO. M12-024

[Appointment, Reentry Council]

Motion appointing Supervisor Christina Olague, term ending June 7, 2013, to the Reentry Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated Supervisor to serve as a member to the Reentry Council for the term specified:

Supervisor Christina Olague, succeeding Supervisor Ross Mirkarimi, Seat No. 5, must be a member of the Board of Supervisors, for a two-year term ending June 7, 2013.

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City and County of San Francisco
Tails
Motion: M12-024

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120064 **Date Passed:** February 14, 2012

Motion appointing Supervisor Christina Olague, term ending June 7, 2013, to the Reentry Council.

February 02, 2012 Rules Committee - RECOMMENDED

February 14, 2012 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague
Absent: 1 - Chu

File No. 120064

I hereby certify that the foregoing Motion was APPROVED on 2/14/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120065 **MOTION NO.** M12-25

[Appointment, Pedestrian Safety Advisory Committee]

Motion appointing Abigail Evans, term ending March 28, 2014, to the Pedestrian Safety Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Pedestrian Safety Advisory Committee, pursuant to the provisions of the Administrative Code Article IV, sections 5.20 and 5.21, for the term specified:

Abigail Evans, seat 8, succeeding Dahianna Lopez, resigned, must be a representative from a public health organization, for the unexpired portion of a two-year term ending March 28, 2014.

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City and County of San Francisco
Tails
Motion: M12-025

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120065 **Date Passed:** February 28, 2012

Motion appointing Abigail Evans, term ending March 28, 2014, to the Pedestrian Safety Advisory Committee.

February 16, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

February 16, 2012 Rules Committee - RECOMMENDED..

February 28, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120065

I hereby certify that the foregoing Motion was APPROVED on 2/28/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120150 MOTION NO. M12-26

[Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.7 Extending the Joint City and School District Select Committee for One Year Ending March 1, 2013, and Setting Monthly Meetings]

Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.7 to extend the term of the Joint City and School District Select Committee for one year ending March 1, 2013; ordering the City and School District Select Committee meetings be held on 4th Thursdays of each month at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

WHEREAS, Rule 4.38 of the Board of Supervisors' Rules of Order requires that all proposed amendments to the Rules of Order shall be referred to the Rules Committee for public hearing and recommendation; and

WHEREAS, Rule 4.37 allows Rule 4.38 to be suspended by the affirmative vote of eight Board Members, unless there are less than eight Board Members present. in which case the unanimous consent of the Board Members present, but not less than six Board Members. shall be required; and

WHEREAS, Due to the current term of the Joint City and School District Select Committee, pursuant to Rule 5.7 of the Board of Supervisors' Rules of Order, expires on March 1, 2012, the Board Members wish to suspend the operation of Rule 4.38 with regard to the consideration of the proposed amendment to Rule 5.7, now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco. as allowed by Rule 4.37 of its Rules of Order, hereby suspends the operation of Rule 4.38 of the Board's Rules of Order with regard to the Board's consideration of the proposed amendment to Rule 5.7; and, be it

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FURTHER MOVED, That the Board of Supervisors hereby amends Rule 5.7 of the Board of Supervisors' Rules of Order, to read as follows:

5.7 Joint City and School District Select Committee. The Joint City and School District Select Committee shall be referred measures concerning issues of mutual interest that affect the City and the School District, its employees, its students, and the families of its students, including the issue of the public use of School District facilities, and shall terminate on, or before, March 1, 2013; and, be it

FURTHER MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby order that meetings of the City and School District Select Committee shall be held on 4th Thursdays of each month at 3:30 P.M.; and, be it

FURTHER MOVED, That the Clerk of the Board of Supervisors is directed to prepare the necessary notices and postings pursuant to Charter Section 2.103.

City and County of San Francisco

Tails

Motion: M12-026

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120150 **Date Passed:** February 28, 2012

Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.7 to extend the term of the Joint City and School District Select Committee for one year ending March 1, 2013; ordering the Joint City and School District Select Committee meetings be held on 4th Thursdays of each month at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

February 28, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120150

I hereby certify that the foregoing Motion was APPROVED on 2/28/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120167 **MOTION NO.** M12-27

[Final Map 6510: 1371-1375 Grove Street]

Motion approving Final Map 6510, a Five Unit Residential Condominium Project, located at 1371-1375 Grove Street, being a subdivision of Assessor's Block No. 1201, Lot No. 031; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 6510", comprising 3 sheets, approved January 5, 2012, by Department of Public Works Order No. 179, 862 is hereby approved and said map is adopted as an Official Final Map 6510; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated November 4, 2011, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

2/17/12

Mohammed Nuru
Interim Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco

Tails

Motion: M12-027

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120167 **Date Passed:** February 28, 2012

Motion approving Final Map 6510, a Five Unit Residential Condominium Project, located at 1371-1375 Grove Street, being a subdivision of Assessor's Block No. 1201, Lot No. 031; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

February 28, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120167

I hereby certify that the foregoing Motion was APPROVED on 2/28/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120168 **MOTION NO.** M12-28

[Final Map 5674: 1994 Carroll Avenue and 2525 Phelps Street]

Motion approving Final Map 5674, a Three Lot Subdivision, including an Eight Unit Commercial Condominium Project, located at 1994 Carroll Avenue and 2525 Phelps Street, in Assessor's Block No. 5423A, Lot Nos. 014 and 015; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 5674", comprising 3 sheets, approved January 12, 2012, by Department of Public Works Order No. 179, 872 is hereby approved and said map is adopted as an Official Final Map 5674; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated March 2, 2010, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

2/17/12

Mohammed Nuru

Interim Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-028

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120168 **Date Passed:** February 28, 2012

Motion approving Final Map 5674, a Three Lot Subdivision, including an Eight Unit Commercial Condominium Project, located at 1994 Carroll Avenue and 2525 Phelps Street, in Assessor's Block No 5423A, Lot Nos. 014 and 015; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

February 28, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120168

I hereby certify that the foregoing Motion was APPROVED on 2/28/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

AMENDED IN BOARD
2/28/12

FILE NO. 120169 MOTION NO. M12-29

[Committee of the Whole – Approving Amendments to the 34th America's Cup Project and Related Transactions, and Resolution of Intent to Form the Waterfront Infrastructure Financing District – March 27, 2012]

Motion scheduling the Board to sit as a Committee of the Whole on March 27, 2012, at 3 p.m., to hold a public hearing on amendments to Resolution approving the 34th America's Cup Project and Related Transactions, and a Resolution of Intent to Form the Waterfront Infrastructure Financing District.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on March 27, 2012, at 3 p.m., to hear all persons interested in amendments to a Resolution approving the 34th America's Cup Project and Related Transactions, and a Resolution of Intent to Form the Waterfront Infrastructure Financing District, which are File Nos. 120127 and 120128 respectively, and which could be amended at the Budget and Finance Committee on February 22, 2012.

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City and County of San Francisco
Tails
Motion: M12-029

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120169 **Date Passed:** February 28, 2012

Motion scheduling the Board to sit as a Committee of the Whole on March 27, 2012, at 3 p.m., to hold a public hearing on amendments to a Resolution approving the 34th America's Cup Project and related transactions, and a Resolution of Intent to Form the Waterfront Infrastructure Financing District.

February 28, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

February 28, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120169

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 2/28/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120121 MOTION NO. M12-30

[Appointments, Small Business Commission]

Motion appointing Monetta White and William Ortiz-Cartagena, terms ending January 6, 2016, to the Small Business Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the following designated persons to serve as members of the Small Business Commission, pursuant to the provisions of Charter Section 4.134.

Monetta White, seat 1, succeeding Michael O'Connor, term expired, must be an owner, operator, or officer of a San Francisco small business, for the unexpired portion of a four-year term ending January 6, 2016.

William Ortiz-Cartagena, seat 3, succeeding Janet Clyde, term expired, must be an owner, operator, or officer of a San Francisco small business, for the unexpired portion of a four-year term ending January 6, 2016.

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City and County of San Francisco
Tails
Motion: M12-030

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120121 **Date Passed:** March 06, 2012

Motion appointing Monetta White and William Ortiz-Cartagena, terms ending January 6, 2016, to the Small Business Commission.

February 16, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

February 16, 2012 Rules Committee - RECOMMENDED..

February 28, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

March 06, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120121

I hereby certify that the foregoing Motion was APPROVED on 3/6/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120148 MOTION NO. M12-31

[Setting the 2012 Budget and Legislative Analyst Services Audit Plan]

Motion directing the Budget and Legislative Analyst to conduct three performance audits in 2012 and setting the priority as follows: 1) the Department of Public Health's and Human Services Agency's management of professional services contracts; 2) City departments' management and oversight of the former San Francisco Redevelopment Agency's assets and functions; and 3) the Adult Probation and Sheriff's Departments' implementation of Public Safety Realignment.

WHEREAS, It is the policy of the Board of Supervisors that each program of the City and County of San Francisco be the subject of a performance audit at least once every eight years; and

WHEREAS, The function of regular performance audits is to ensure that City departments and agencies make prudent and efficient use of City resources and also effectively perform the functions assigned to them by the Chart and applicable laws; now, therefore, be it

MOVED, That the Budget and Legislative Analyst is hereby directed as a first priority to conduct a performance audit of the Department of Public Health's and Human Services Agency's management of professional services contracts, including how the Department determines the need for professional services, and measures and reports service levels and changes; policies and procedures for contract performance and performance measurement; and department-wide contracting policies and compliance; and, be it

FURTHER MOVED, That the Budget and Legislative Analyst is hereby directed as a second priority to conduct a performance audit of the transfer of the former San Francisco Redevelopment Agency's (SFRA) assets and functions to the City, including how SFRA staff,

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assets and functions are assigned to City departments; City departments' management and performance of development functions previously the responsibility of the SFRA; and City departments' management of assets previously the responsibility of the SFRA; and, be it

FURTHER MOVED, That the Budget and Legislative Analyst is hereby directed as a third priority to conduct a performance audit of the Adult Probation and Sheriff Departments' implementation of Public Safety Realignment, including (a) increases in caseload and average jail population resulting from the transfer of certain offenders from the State to the County, (b) the Adult Probation and Sheriff's Departments' implementation of new programs to support the transfer of these offenders, including implementation schedules, program costs, performance measures, and outcomes; and (c) Adult Probation and Sheriff's Departments' staffing levels to support the transfer of these offenders.

City and County of San Francisco

Tails

Motion: M12-031

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120148 **Date Passed:** March 06, 2012

Motion directing the Budget and Legislative Analyst to conduct three performance audits in 2012 and setting the priority as follows: 1) the Department of Public Health's and Human Services Agency's management of professional services contracts; 2) City departments' management and oversight of the former San Francisco Redevelopment Agency's assets and functions; and 3) the Adult Probation and Sheriff's Departments' implementation of Public Safety Realignment.

February 23, 2012 Government Audit and Oversight Committee - RECOMMENDED..

March 06, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120148

I hereby certify that the foregoing Motion was APPROVED on 3/6/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120149 MOTION NO. M12-32

[Setting the 2012 Budget and Legislative Analyst Services Work Plan]

Motion approving the Budget and Legislative Analyst Services work plan for 2012, which (a) allocates hours for calendar year 2012, (b) authorizes the Budget and Legislative Analyst to reallocate up to 10% of the hours between service categories based on Board of Supervisors service needs, and (c) requires Board of Supervisors approval of hours re-allocation greater than 10%; and establishes performance goals and sets a date for the 2012 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

WHEREAS, The Board of Supervisors approved the contract for Budget and Legislative Analyst services on December 8, 2009, which became effective on January 1, 2010; and

WHEREAS, The contract for Budget and Legislative Analyst services defines the scope of services to include: (1) detailed review of the Annual Appropriation Ordinance and Annual Salary Ordinance from a financial and policy perspective, or Budget Analysis; (2) evaluation of legislation pending before the Board and its committees, or Legislative Analysis; (3) policy analysis and recommendations on legislative initiatives, or Policy Analysis; and (4) performance and management audits of City and County departments and programs; and

WHEREAS, The contract for Budget and Legislative Analyst services requires (1) the Budget and Legislative Analyst to submit an annual work plan for input, review and approval by the Board of Supervisors, estimating the allocation of staff hours for each service category and major project; and (2) the Board of Supervisors to conduct a formal annual performance evaluation of Budget and Legislative Analyst services with pre-established goals and evaluation criteria so that Board members, or a designated committee, can provide structured

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feedback and suggest changes in Budget and Legislative Analyst services to respond to the Board's changing analytical needs; now, therefore, be it

MOVED, That the Board of Supervisors approves the proposed Budget and Legislative Analyst work plan for calendar year 2012, which (a) allocates hours for Budget Analysis, Legislative Analysis, Policy Analysis and Performance Audits and Special Projects, (b) authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of these hours based on Board of Supervisors service needs, and (c) requires the Board of Supervisors approval to reallocate greater than 10 percent of these hours; and, be it

FURTHER MOVED, That the Board of Supervisors establishes performance goals for Budget and Legislative Analyst services and sets a date of no later than December 15, 2012, for the Board of Supervisors to complete the 2012 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

City and County of San Francisco

Tails

Motion: M12-032

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120149 **Date Passed:** March 06, 2012

Motion approving the Budget and Legislative Analyst Services work plan for 2012, which: 1) allocates hours for calendar year 2012, 2) authorizes the Budget and Legislative Analyst to reallocate up to 10% of the hours between service categories based on Board of Supervisors service needs, and 3) requires Board of Supervisors approval of hours re-allocation greater than 10%; and establishes performance goals and sets a date for the 2012 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

February 23, 2012 Government Audit and Oversight Committee - RECOMMENDED..

March 06, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120149

I hereby certify that the foregoing Motion was APPROVED on 3/6/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 111179 MOTION NO. M12-033

[Appointment, Public Utilities Revenue Bond Oversight Committee]

Motion appointing Karen Donovan, term ending November 12, 2015, to the Public Utilities Revenue Bond Oversight Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Public Utilities Revenue Bond Oversight Committee, pursuant to the provisions of the San Francisco Administrative Code, Section 5.30-5.36, for the term specified:

Karen Donovan, seat 1, succeeding Brian Browne, term expired, must have expertise, skills and experience in economics, the environment, construction or project management, for a four-year term ending November 12, 2015.

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City and County of San Francisco
Tails
Motion: M12-034

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120066 **Date Passed:** March 13, 2012

Motion appointing Daniel Hlad, term to be determined, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area.

March 01, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

March 01, 2012 Rules Committee - RECOMMENDED..

March 13, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120066

I hereby certify that the foregoing Motion was APPROVED on 3/13/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120173 MOTION NO. M12-035

[Appointment – Immigrant Rights Commission]

Motion appointing Bill Ong Hing, term ending June 6, 2014, to the Immigrant Rights Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Immigrant Rights Commission, pursuant to the provisions of Ordinance No. 211-97, for the term specified:

Bill Ong Hing, seat 3, succeeding Samer Danfoura, resigned, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2014.

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City and County of San Francisco

Tails

Motion: M12-035

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120173 **Date Passed:** March 13, 2012

Motion appointing Bill Ong Hing, term ending June 6, 2014, to the Immigrant Rights Commission.

March 01, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

March 01, 2012 Rules Committee - RECOMMENDED..

March 13, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120173

I hereby certify that the foregoing Motion was APPROVED on 3/13/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120174 MOTION NO. M12-036

[Appointments – SRO Task Force]

Motion appointing Joshua Vining and Pratibha Tekkey, terms ending December 31, 2012, to the SRO Task Force, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the SRO Task Force, pursuant to the provisions of Resolution 459-06 and Resolution 457-09, for the terms specified:

Joshua Vining, seat 5 (residency requirement waived), succeeding Jorge Portillo, resigned, must be a representative of the Mission SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

Pratibha Tekkey, seat 6 (residency requirement waived), succeeding Jeffrey Buckley, resigned, must be a representative of the Central City SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the SRO Task Force has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicants Joshua Vining and Pratibha Tekkey, new appointees, who are not residents of San Francisco, are persons with experience that uniquely qualifies them to serve on the SRO Task Force.
3. The SRO Task Force has attempted to fill the position, for which Joshua Vining and Pratibha Tekkey were nominated, with individuals who are City residents and who have the specific experience, skills, and qualifications, but has been unable to do so

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at this time. The Rules Committee has certified that Joshua Vining and Pratibha Tekkey are qualified to serve on the SRO Task Force.

4. After exercising due diligence, the Board of Supervisors concludes that there are no other possible representative, who are residents of San Francisco and who have the specific experience, skills, or qualifications possessed by these applicants, and who are willing to serve on the SRO Task Force at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Joshua Vining and Pratibha Tekkey, as allowed in cases where no qualified City residents, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco
Tails
Motion: M12-036

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120174 **Date Passed:** March 13, 2012

Motion appointing Joshua Vining and Pratibha Tekkey, terms ending December 31, 2012, to the SRO Task Force, residency requirement waived.

March 01, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

March 01, 2012 Rules Committee - RECOMMENDED..

March 13, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120174

I hereby certify that the foregoing Motion was APPROVED on 3/13/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120175 MOTION NO. M12-037

[Appointment - San Francisco LAFCO]

Motion appointing Supervisor Christina Olague, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission.

Government Code Section 56325 provides that the Local Agency Formation Commission shall consist of either four members of the Board of Supervisors, or three members of the Board of Supervisors and the Mayor. All four members are appointed by the Board of Supervisors. These four members shall select a public member to serve as the fifth member. The Board must also select two alternate commissioners.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Local Agency Formation Commission, pursuant to the provisions of Government Code Section 56325, for the term specified:

Supervisor Christina Olague, succeeding Supervisor Ross Mirkarimi, seat 4, must be a member of the San Francisco Board of Supervisors appointed by the Board of Supervisors, for the unexpired portion of a four-year term ending February 4, 2014.

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Tails

Motion: M12-037

City Hall
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File Number: 120175 **Date Passed:** March 13, 2012

Motion appointing Supervisor Christina Olague, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission.

March 01, 2012 Rules Committee - RECOMMENDED

March 13, 2012 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar and Wiener
Excused: 1 - Olague
Absent: 1 - Kim

File No. 120175

I hereby certify that the foregoing Motion was APPROVED on 3/13/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120231 MOTION NO. M12-038

[Closed Session - Update on Labor Negotiations]

Motion that the Board of Supervisors convene in closed session on March 13, 2012 with the Mayor's Office and the Department of Human Resources pursuant to section 67.10(e) of the San Francisco Administrative Code and section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

WHEREAS, This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code 67.10(e); now, therefore, be it

MOVED, That the Board of Supervisors convene in closed session on March 13, 2012 with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City employees.

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Motion: M12-038

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120231 **Date Passed:** March 13, 2012

Motion that the Board of Supervisors convene in closed session on March 13, 2012, with the Mayor's Office and the Department of Human Resources pursuant to Section 67.10(e) of the San Francisco Administrative Code and Section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

March 13, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120231

I hereby certify that the foregoing Motion was APPROVED on 3/13/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

AMENDED IN BOARD
3/13/12

FILE NO. 120214 MOTION NO. M12-039

[Authorizing Preparation of Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 5, 2012, Consolidated Presidential Primary Election]

Motion authorizing preparation of written Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 5, 2012, Consolidated Presidential Primary Election.

WHEREAS, The Board of Supervisors wishes to authorize the Board Member(s) opposed to the following ballot measures to prepare and submit a written opponent ballot argument and rebuttal ballot argument for submittal to the Director of Elections:

- Garbage Collection and Disposal – Ordinance requiring the City to use a competitive bidding process to award five separate agreements for trash and recycling services, require that processing and transfer facilities be owned by the City and located in San Francisco, require the Board of Supervisors to approve maximum rates for garbage services, and allow the Board of Supervisors to make future amendments that advance the purposes of this ordinance without further voter approval. (Supervisor Wiener)

- Coit Tower – Declaration of Policy to strictly limit commercial activities and private events at Coit Tower and to use funds received by the City from Coit Tower concession operations on the Coit Tower murals, building, and Pioneer Park. (Supervisor Elsbernd)

WHEREAS, The Board Member(s) authorized to submit the opponent ballot arguments, will submit the argument to the Director of Elections no later than the deadline of

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noon, March 15, 2012, and the respective rebuttal ballot argument no later than noon, March 19, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby authorizes the Board Member(s) and/or sponsor(s) and designated opponent(s) of each measure, as listed above, under the provisions of the San Francisco Elections Code Sections 530 and 550, to prepare and submit a written opponent ballot argument and respective rebuttal ballot arguments on their measures; and, be it

FURTHER MOVED, That the Board Member(s) and/or sponsor(s) and opponent(s) of measures submitted to the voters for the June 5, 2012, Presidential Primary Election, who are authorized by this motion to prepare and submit arguments, may authorize or assign to any other person(s) under the provisions of the San Francisco Elections Code Sections 530 and 550 (c) and (d) the right to prepare and submit the proponent or opponent's ballot arguments and/or respective rebuttal arguments.

City and County of San Francisco

Tails

Motion: M12-039

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120214 **Date Passed:** March 13, 2012

Motion authorizing preparation of written opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 5, 2012, Consolidated Presidential Primary Municipal Election.

March 13, 2012 Board of Supervisors - AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

March 13, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120214

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 3/13/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

[Final Map 6325: 435 China Basin Street, and 420 and 480 Mission Bay Boulevard North]

Motion approving Final Map 6325, a 329 Unit Residential and Three Unit Commercial Mixed-Use Condominium Project, located at 435 China Basin Street, and 420 and 480 Mission Bay Boulevard North; being a subdivision of Assessor's Block No. 8720, Lot No. 016, and Assessor's Block No. 3837, Lot No. 002; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 6325", comprising 4 sheets, approved February 22, 2012, by Department of Public Works Order No. 180,002 is hereby approved and said map is adopted as an Official Final Map 6325; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the San Francisco Redevelopment Agency recommending that the City conditionally approve the Tentative Final Map, by its letter dated April 15, 2011; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated July 19, 2011, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

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FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:	DESCRIPTION APPROVED:
Mohammed Nuru	Bruce R. Storrs, PLS
Interim Director of Public Works	City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-040

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120297 **Date Passed:** March 27, 2012

Motion approving Final Map 6325, a 329 Unit Residential and Three Unit Commercial Mixed-Use Condominium Project, located at 435 China Basin Street, and 420 and 480 Mission Bay Boulevard North; being a subdivision of Assessor's Block No. 8720, Lot No. 016, and Assessor's Block No. 3837, Lot No. 002; and adopting findings pursuant to the General Plan and City Planning Code Section 101 1

March 27, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Absent: 1 - Olague

File No. 120297

I hereby certify that the foregoing Motion was APPROVED on 3/27/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120311 MOTION NO. M12-41

[Committee of the Whole - Contracts Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Wavier of Certain Bidding and Contracting Requirements - April 3, 2012]

Motion scheduling the Board to sit as a Committee of the Whole on April 3, 2012, at 3 p.m., to hold a public hearing and consider an Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event.

MOVED, That the Board of Supervisors sit as a Committee of the Whole on April 3, 2012 to hear all persons interested in an Ordinance authorizing the waiver of certain bidding and contracting requirements of the Administrative Code and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event, which is File No. 120282, and which could be amended at the Budget and Finance Committee on March 28, 2012.

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City and County of San Francisco
Tails
Motion: M12-041

City Hall
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File Number: 120311 **Date Passed:** April 03, 2012

Motion scheduling the Board to sit as a Committee of the Whole on April 3, 2012, at 3 p.m., to hold a public hearing and consider an Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event.

April 03, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Absent: 1 - Olague

File No. 120311

I hereby certify that the foregoing Motion was APPROVED on 4/3/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

AMENDED IN BOARD
4/3/12

FILE NO. 120185 MOTION NO. M12-42

[Disapproving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street; Approving Conditional Use as Modified by the Board of Supervisors]

Motion disapproving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and authorizing conditional use on property located at 1111 California Street as modified by the Board of Supervisors on April 3, 2012.

MOVED, That the decision of the Planning Commission by its Motion No. 18520 dated January 19, 2012, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C, pursuant to Planning Code Sections 185(e) and 303, to continue the existing non-conforming assembly and entertainment uses of the "Nob Hill Masonic Center", and to continue the existing food and beverage service uses within the center, on a property within the RM-4 (Residential Mixed, Medium Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at:

1111 California Street, Assessor's Block No. 0253, Lot No. 020.

be and the same is disapproved;

FURTHER MOVED, That conditional use at said property is hereby authorized as set forth in the decision of the Planning Commission by its Motion No. 18520 dated January 19, 2012, Planning Case No. 2011.0471C, except that condition 34 "Number of Events" in said motion is stricken and the following condition is imposed, as modified by the Board of Supervisors on April 3, 2012:

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34. Number of Events. There shall be an annual maximum of 54 live entertainment events, and an annual maximum of 176 events not involving live entertainment, held at the Masonic Center. Notwithstanding these limitations, there shall be no limitations on the number of events that are attended by 250 patrons or fewer.

City and County of San Francisco

Tails

Motion: M12-042

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120185 **Date Passed:** April 03, 2012

Motion disapproving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and further subject to additional conditions imposed by the Board of Supervisors on April 3, 2012.

March 20, 2012 Board of Supervisors - CONTINUED

Ayes: 7 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim and Olague
Excused: 3 - Chu, Cohen and Wiener
Absent: 1 - Mar

March 27, 2012 Board of Supervisors - CONTINUED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Absent: 1 - Olague

April 03, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

April 03, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120185

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 4/3/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120186 MOTION NO. M12-43

[Preparation of Findings Related to the Conditional Use Authorization - 1111 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street.

IT IS HEREBY MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0471C, on property located at 1111 California Street.

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City and County of San Francisco

Tails

Motion: M12-043

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120186 **Date Passed:** April 03, 2012

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street

March 20, 2012 Board of Supervisors - CONTINUED

Ayes: 7 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim and Olague
Excused: 3 - Chu, Cohen and Wiener
Absent: 1 - Mar

March 27, 2012 Board of Supervisors - CONTINUED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Absent: 1 - Olague

April 03, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120186

I hereby certify that the foregoing Motion was APPROVED on 4/3/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120011 **MOTION NO. M12·044**

[Appointment – Children and Families First Commission]

Motion appointing Anda Kuo, term ending April 29, 2014, to the Children and Families First Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Children and Families First Commission, pursuant to the provisions of the San Francisco Administrative Code, Sections 10.117-122 and 86.1 through 86.5, for the term specified:

Anda Kuo, seat 5, succeeding Veronica Chavez, resigned, shall represent one or more of the following: children services, public health services; behavioral health services, social services, and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council, or another local child care coordinating group; representatives of a local organization for prevention, or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations, or societies, for the unexpired portion of a four-year term ending April 29, 2014.

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City and County of San Francisco

Tails

Motion: M12-044

City Hall
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San Francisco, CA 94102-4689

File Number: 120011 **Date Passed:** April 10, 2012

Motion appointing Anda Kuo, term ending April 29, 2014, to the Children and Families First Commission.

January 19, 2012 Rules Committee - CONTINUED TO CALL OF THE CHAIR

March 29, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

March 29, 2012 Rules Committee - RECOMMENDED..

April 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120011

I hereby certify that the foregoing Motion was APPROVED on 4/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120172 **MOTION NO.** M12-045

[Appointments – Workforce Investment Community Advisory Committee]

Motion appointing Doug Parrish, term ending February 19, 2013, Liz Jackson-Simpson, Winnie Yu, and Sheryl Davis, terms ending February 19, 2014, to the Workforce Investment Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Workforce Investment Community Advisory Committee, pursuant to the provisions of Ordinance No. 270-07, for the terms specified:

Liz Jackson-Simpson, seat 1, succeeding Sheryl Davis, term expired, must be a staff and/or a Board member of 501(c)3 organizations. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for the unexpired portion of a two-year term ending February 19, 2014.

Winnie Yu, seat 2, succeeding Cameron McHenry, term expired, must be a staff and/or a Board member of 501(c)3 organizations. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for the unexpired portion of a two-year term ending February 19, 2014.

Doug Parrish, seat 3, succeeding Tracy Brown, term expired, must be a staff and/or a Board member of 501(c)3 organizations. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for the unexpired portion of a two-year term ending February 19, 2013

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Sheryl Davis, seat 4, succeeding Jamie Brewster, term expired, must be a staff and/or a Board member of 501(c)3 organizations. Preferably, Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for the unexpired portion of a two-year term ending February 19, 2014.

City and County of San Francisco

Tails

Motion: M12-045

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120172 **Date Passed:** April 10, 2012

Motion appointing Doug Parrish, term ending February 19, 2013, Liz Jackson-Simpson, Winnie Yu, and Sheryl Davis, terms ending February 19, 2014, to the Workforce Investment Community Advisory Committee.

March 29, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

March 29, 2012 Rules Committee - RECOMMENDED..

April 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120172

I hereby certify that the foregoing Motion was APPROVED on 4/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 120215 **MOTION NO.** M12-046

[Appointments, In-Home Supportive Services Public Authority]

Motion appointing Kenzi Robi, Gustavo Serina, and Luis Calderon, terms ending March 1, 2015, to the In-Home Supportive Services Public Authority.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the following designated persons to serve as members of the In-Home Supportive Services Public Authority, pursuant to the provisions of Welfare and Institutions Code Section 12301.6, and Board of Supervisors Ordinance Nos. 185-95 and 55-05, for the terms specified:

Kenzi Robi, seat 5, succeeding himself, term expired, must be a consumer at-large between the ages of 18 and 60, for the unexpired portion of a three-year term ending March 1, 2015.

Gustavo Serina, seat 7, succeeding himself, term expired, must be a member of the Commission on the Aging, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2015.

Luis Calderon, seat 11, succeeding himself, term expired, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2015.

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City and County of San Francisco
Tails
Motion: M12-046

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120215 **Date Passed:** April 10, 2012

Motion appointing Kenzi Robi, Gustavo Serina, and Luis Calderon, terms ending March 1, 2015, to the In-Home Supportive Services Public Authority.

March 29, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

March 29, 2012 Rules Committee - RECOMMENDED..

April 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120215

I hereby certify that the foregoing Motion was APPROVED on 4/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120218 MOTION NO. M12-047

[Appointments, Sweatfree Procurement Advisory Group]

Motion appointing Jason Oringer and Julienne Fisher, terms ending December 17, 2013, to the Sweatfree Procurement Advisory Group.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Sweatfree Procurement Advisory Group, pursuant to the provisions of Board of Supervisors Ordinance No. 223-05, for the terms specified:

Jason Oringer, seat 1, succeeding himself, term expired, must have significant experience representing employees in labor matters, for the unexpired portion of a two-year term ending December 17, 2013.

Julienne Fisher, seat 4, succeeding herself, term expired, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2013.

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City and County of San Francisco

Tails

Motion: M12-047

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120218 **Date Passed:** April 10, 2012

Motion appointing Jason Oringer and Julienne Fisher, terms ending December 17, 2013, to the Sweatfree Procurement Advisory Group.

March 29, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

March 29, 2012 Rules Committee - RECOMMENDED..

April 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120218

I hereby certify that the foregoing Motion was APPROVED on 4/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120330 MOTION NO. M12-048

[Closed Session - Update on Labor Negotiations]

Motion that the Board of Supervisors convene in closed session on April 10, 2012, with the Mayor's Office and the Department of Human Resources pursuant to Section 67.10(e) of the San Francisco Administrative Code and Section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

WHEREAS, This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code 67.10(e); now, therefore, be it

MOVED, That the Board of Supervisors convene in closed session on April 10, 2012, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City employees.

GOVERNMENT
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City and County of San Francisco

Tails

Motion: M12-048

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120330 **Date Passed:** April 10, 2012

Motion that the Board of Supervisors convene in closed session on April 10, 2012, with the Mayor's Office and the Department of Human Resources pursuant to Section 67.10(e) of the San Francisco Administrative Code and Section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

April 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120330

I hereby certify that the foregoing Motion was APPROVED on 4/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120304 **MOTION NO.** M12-049

[Final Map 6393 – 307 Page Street & 265 Laguna Street]

Motion approving Final Map 6393, a Six Residential Unit, One Commercial Unit Mixed-Use Condominium Project, located at 307 Page Street & 265 Laguna Street being a subdivision of Lot 001 in Assessors Block No. 0851 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 6393", comprising 3 sheets, approved February 22, 2012, by Department of Public Works Order No. 180,001 is hereby approved and said map is adopted as an Official Final Map 6393; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated November 4, 2011, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

GOVERNMENT
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RECOMMENDED:

Mohammed Nuru
Interim Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco

Tails

Motion: M12-049

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120304 **Date Passed:** April 10, 2012

Motion approving Final Map 6393, a Six Unit Residential, One Unit Commercial Mixed-Use Condominium Project, located at 307 Page Street, and 265 Laguna Street; being a subdivision of Assessor's Block No. 0851, Lot No. 001; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

April 10, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olágue and Wiener
Absent: 1 - Cohen

File No. 120304

I hereby certify that the foregoing Motion was APPROVED on 4/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
4/5/12

FILE NO. 120298 MOTION NO. M12-50

[Appointment, Health Commission – Bell Taylor-McGhee]

Motion approving the Mayor's appointment of Bell Taylor-McGhee to the Health Commission, for the term ending January 15, 2016.

WHEREAS, Pursuant to Charter Section 3.100(18), the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Bell Taylor-McGhee to the Health Commission, received by the Clerk of the Board on March 19, 2012; and

WHEREAS, Under Charter Section 3.100(18), the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion No. 01-34, established a process to review the Mayor's appointment to the Health Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Bell Taylor-McGhee to the Health Commission for the term ending January 15, 2016.

GOVERNMENT
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City and County of San Francisco
Tails
Motion: M12-050

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120298 **Date Passed:** April 17, 2012

Motion approving the Mayor's appointment of Belle Taylor-McGhee, term ending January 15, 2016, to the Health Commission.

April 05, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

April 05, 2012 Rules Committee - RECOMMENDED AS AMENDED

April 17, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague

File No. 120298

I hereby certify that the foregoing Motion was APPROVED on 4/17/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120295 MOTION NO. M12-051

[Adopting Findings Related to the Conditional Use Authorization - 1111 California Street]

Motion adopting findings supporting the Board's decision to: 1) disapprove the decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street; and 2) to approve Conditional Use Authorization on property located at 1111 California Street subject to conditions imposed by the Board of Supervisors on April 3, 2012.

The appellants, Stephen Gomez, on behalf of the Nob Hill Coalition, James Wall, on beha of the Nob Hill Association, William M. Terrell, Elizabeth Pomada, Donna Muse and Aldo Caccamo, filed a timely appeal on February 12, 2012, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No 2011.0471C), approved by Planning Commission Motion No. 18520 dated January 19, 2012, pursuant to Planning Code Sections 185(e) and 303, to continue the existing non-conforming assembly and entertainment uses of the "Nob Hill Masonic Center", and to continue the existing food and beverage service uses within the center, on a property within the RM-4 (Residential Mixed, Medium Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street, Assessor's Block No. 0253, Lot No. 020.

On April 3, 2012, the Board of Supervisors conducted a duly noticed public hearing on the appeal from the Planning Commission's approval of the conditional use authorization referred to in the first paragraph of this motion. Following the conclusion of the public hearing on April 3, 2012, the Board voted to disapprove the decision of the Planning Commission (Planning Commission Motion No. 18520 dated January 19, 2012) and denied the issuance of the requested Conditional Use Application No. 2011.0471C , ~~by a vote of 11-0.~~ The Board

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then moved to authorize conditional use referred to in the first paragraph of this motion, except that condition 34 "Number of Events" in said motion was stricken and the following condition was imposed, as modified by the Board of Supervisors on April 3, 2012:

> 34. Number of Events. There shall be an annual maximum of 54 live entertainment events, and an annual maximum of 176 events not involving live entertainment, held at the Masonic Center. Notwithstanding these limitations, there shall be no limitations on the number of events that are attended by 250 patrons or fewer.

In considering the appeal of the approval of the requested conditional use authorization, the Board reviewed and considered the written record before the Board and all of the comments made in support of and in opposition to the appeal.

The Board took note that appellants Nob Hill Coalition, William Terrell, Donna Muse, Elizabeth Pomada and Aldo Caccamo reached a written agreement with the project sponsor, a copy of which is included in Board file No. 120183, and is incorporated as if fully set forth herein.

The Board reviewed a memorandum of response to the appeal submitted by the Planning Department dated March 19, 2012, a copy of which is included in Board file No. 120183, and is incorporated as if fully set forth herein. The Board also reviewed the memorandum of the Planning Department regarding the Planning Department's "CEQA Determination", dated March 19, 2012, a copy of which is included in Board file No. 120183, and is incorporated as if fully set forth herein. In its March 19, 2012, memorandum, the Planning Department restated its position that the activity that is the subject of Conditional Use Authorization No. 2011.0471C is not a project under the California Environmental Quality Act ("CEQA") and thus was not subject to CEQA. Collectively, for purposes of this motion, these documents are referred to as the "Supplemental Memoranda".

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 18520 dated January 19, 2012.

FURTHER MOVED, The Board of Supervisors also adopts as its own findings and incorporates by reference herein, as though fully set forth, the analysis and determination set forth in the Supplemental Memoranda described above.

FURTHER MOVED, That the Board of Supervisors took notice that the activity that is the subject of Conditional Use Authorization No. 2011.0471C is not a project under the CEQA and thus was not subject to CEQA.

City and County of San Francisco

Tails

Motion: M12-051

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120295 **Date Passed:** April 24, 2012

Motion adopting findings supporting the Board's decision to: 1) disapprove the decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street; and 2) approve Conditional Use Authorization on property located at 1111 California Street subject to conditions imposed by the Board of Supervisors on April 3, 2012.

April 24, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120295

I hereby certify that the foregoing Motion was APPROVED on 4/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120331 MOTION NO. M12-052

[Committees of the Whole - Public Hearings to Acquire Temporary Construction Licenses at Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension - May 1, 2012]

Motion that the Board of Supervisors hold public hearings on May 1, 2012, at 3:00 p.m., with the Board of Supervisors sitting as Committees of the Whole, to consider acquisition of temporary construction licenses at various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension.

MOVED, That the Board of Supervisors shall hold a public hearing on May 1, 2012, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of a temporary construction license at each of the following real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension:

- 55 Stockton Street (File Nos. 120332 and 120333)
  (Block No. 0327, Lot Nos. 001, 002, 003 and 020)
- 233 Geary Street (File Nos. 120334 and 120335)
  (Block No. 0314, Lot No. 001)
- 77 O'Farrell Street (File Nos. 120336 and 120337)
  (Block No. 0328, Lot Nos. 003 and 004)
- 150 Stockton Street (File Nos. 120338 and 120339)
  (Block No. 0313, Lot No. 018)

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City and County of San Francisco
Tails
Motion: M12-052

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120331 **Date Passed:** April 24, 2012

Motion that the Board of Supervisors hold public hearings on May 1, 2012, at 3:00 p.m., with the Board of Supervisors sitting as Committees of the Whole, to consider acquisition of temporary construction licenses at various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension.

April 24, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120331

I hereby certify that the foregoing Motion was APPROVED on 4/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120396 MOTION NO. M12-053

[Outside Counsel - Official Misconduct Proceedings]

Motion to approve the retention of outside legal counsel to advise and represent the Board of Supervisors, in place of the City Attorney's Office, with respect to legal issues relating to the official misconduct proceedings involving Sheriff Ross Mirkarimi.

WHEREAS, Pursuant to Charter Section 15.105, on March 21, 2012, Mayor Ed Lee suspended Sheriff Ross Mirkarimi on grounds of official misconduct; and

WHEREAS, Charter Section 15.105 requires the Ethics Commission to conduct a hearing regarding said charges and to transmit the full record of the hearing to the Board of Supervisors (Board); and

WHEREAS, Charter Section 15.105 requires the Board to review the complete record and determine whether to sustain said charges; and

WHEREAS, Therese M. Stewart, Chief Deputy City Attorney, and Cheryl Adams, General Counsel to the Board, in a Memorandum dated April 12, 2012 (the "Memo") to the Board and the Ethics Commission, a copy of which is on file with the Clerk of the Board of Supervisors in File No.120396 and which is hereby declared to be a part of this Motion, as if set forth fully herein, advised that the Board and the Commission should retain independent outside legal counsel to advise the Board and the Commission during the misconduct proceedings related to Sheriff Mirkarimi; and

WHEREAS, Like many public law offices, the City Attorney's office regularly creates due process screens to separate attorneys appearing on behalf of a party from those advising a neutral decision maker and courts recognize this practice and have held it to be consistent with due process requirements; and

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WHEREAS, In light of the importance and high-profile nature of this proceeding and to attain a degree and appearance of fairness that go beyond that required by law, the Board has determined in consultation with the City Attorney's Office, to retain outside counsel; and

WHEREAS, Ms. Stewart and Ms. Adams recommended that the Board and Commission retain the legal services of attorney Scott Emblidge, from the firm of Moscone, Emblidge & Slater, who has agreed to provide legal representation to the Board and the Commission without compensation; and

WHEREAS, Ms. Stewart and Ms. Adams stated that their offices “do not plan to communicate with [the Board nor the Commission] regarding the substance of this matter any further”; now, therefore, be it

MOVED, That the Board of Supervisors retain Scott Emblidge, from the firm of Moscone, Emblidge & Slater, to advise the Board in place of the City Attorney's Office on legal issues relating to the Official Misconduct proceedings involving Sheriff Ross Mirkarimi; and, be it

FURTHER MOVED, That the Clerk of the Board take such actions as are necessary or appropriate to retain Mr. Emblidge for such purposes.

City and County of San Francisco
Tails
Motion: M12-053

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120396 **Date Passed:** April 24, 2012

Motion to approve the retention of outside legal counsel to advise and represent the Board of Supervisors, in place of the City Attorney's Office, with respect to legal issues relating to the official misconduct proceedings involving Sheriff Ross Mirkarimi.

April 24, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120396

I hereby certify that the foregoing Motion was APPROVED on 4/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 120344 **MOTION NO. M12-54**

[Appointment – Immigrant Rights Commission]

Motion appointing Celine Kennelly, term ending June 6, 2013, to the Immigrant Rights Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Immigrant Rights Commission, pursuant to the provisions of Ordinance No. 211-97, for the term specified:

Celine Kennelly, seat 7, succeeding Angus McCarthy, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2013.

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City and County of San Francisco
Tails
Motion: M12-054

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120344 **Date Passed:** May 01, 2012

Motion appointing Celine Kennelly, term ending June 6, 2013, to the Immigrant Rights Commission.

April 19, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

April 19, 2012 Rules Committee - RECOMMENDED..

May 01, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120344

I hereby certify that the foregoing Motion was APPROVED on 5/1/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120345 **MOTION NO.** M12-55

[Appointment, Bicycle Advisory Committee]

Motion appointing Timothy Doherty, term ending November 19, 2012, to the Bicycle Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Bicycle Advisory Committee, pursuant to the provisions of the Administrative Code Section 5.130 et seq.; and amended by Ordinance No. 179-02, for the term specified:

Timothy Doherty, seat 8, succeeding Jerry Ervin, resigned, must be a nominee of District 8 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

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City and County of San Francisco
Tails
Motion: M12-055

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120345 **Date Passed:** May 01, 2012

Motion appointing Timothy Doherty, term ending November 19, 2012, to the Bicycle Advisory Committee.

April 19, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

April 19, 2012 Rules Committee - RECOMMENDED..

May 01, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120345

I hereby certify that the foregoing Motion was APPROVED on 5/1/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120341 MOTION NO. M12-56

[Confirming Reappointment, Municipal Transportation Agency Board of Directors – Malcolm Heinicke]

Motion confirming the Mayor's reappointment of Malcolm Heinicke to the Municipal Transportation Agency Board of Directors, term ending March 1, 2016.

WHEREAS, Article VIII.A of the City Charter, approved November 1999, establishes the Municipal Transportation Agency ("MTA") which includes the Municipal Railway and shall include the Department of Parking and Traffic; and

WHEREAS, The MTA includes a Board of Directors governed by a board of seven directors appointed by the Mayor and confirmed by the Board of Supervisors; and

WHEREAS, At least four of the directors must be regular riders of the municipal railway and must continue to ride the municipal railway during their terms; and

WHEREAS, The directors must posses significant knowledge of, or professional experience in, one or more the fields of government, finance, or labor relations; and

WHEREAS, At least two of the directors must possess significant knowledge of, or professional experience in, the field of public transportation; and

WHEREAS, The Mayor has reappointed Malcolm Heinicke to the MTA Board of Directors to serves a term ending March 1, 2016; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the Mayor's reappointment of Malcolm Heinicke to the Board of Directors of the Municipal Transportation Agency for a term ending March 1, 2016.

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City and County of San Francisco

Tails

Motion: M12-056

City Hall
1 Dr. Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120341 **Date Passed:** May 01, 2012

Motion confirming the Mayor's reappointment of Malcolm Heinicke, term ending March 1, 2016, to the Municipal Transportation Agency Board of Directors.

April 19, 2012 Rules Committee - RECOMMENDED

May 01, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120341

I hereby certify that the foregoing Motion was APPROVED on 5/1/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 120346 MOTION NO. M12-57

[Reappointment, Police Commission]

Motion confirming the Mayor's nomination of, and reappointing, Thomas Mazzucco to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2016.

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby confirms the Mayor's nomination of, and reappoints, Thomas Mazzucco to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2016, consistent with Section 4.109 of the City Charter.

Thomas Mazzucco, succeeding himself, term expired, seat 4, must be nominated by the Mayor or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a four-year term ending April 30, 2016.

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City and County of San Francisco

Tails

Motion: M12-057

File Number: 120346 **Date Passed:** May 01, 2012

Motion confirming the Mayor's reappointment of Thomas Mazzucco, term ending April 30, 2016, to the Police Commission.

April 19, 2012 Rules Committee - RECOMMENDED

May 01, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120346

I hereby certify that the foregoing Motion was APPROVED on 5/1/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

Amendment of the Whole
Bearing New Title in Committee – 4/19/12

FILE NO. 120350 MOTION NO. M12-58

[Appointment, Health Commission – Cecilia Chung]

Motion approving the Mayor's appointment of Cecilia Chung to the Health Commission, for the term ending January 15, 2016.

WHEREAS, Pursuant to Charter Section 3.100(18), the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Cecilia Chung to the Health Commission, received by the Clerk of the Board on April 3, 2012; and

WHEREAS, Under Charter Section 3.100(18), the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion No. 01-34, established a process to review the Mayor's appointment to the Health Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Cecilia Chung to the Health Commission for the term ending January 15, 2016.

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City and County of San Francisco
Tails
Motion: M12-058

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120350 **Date Passed:** May 01, 2012

Motion approving the Mayor's appointment of Cecilia Chung, term ending January 15, 2016, to the Health Commission.

April 19, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

April 19, 2012 Rules Committee - RECOMMENDED AS AMENDED

May 01, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120350

I hereby certify that the foregoing Motion was APPROVED on 5/1/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120347 MOTION NO. M12-59

[Appointment, Police Commission]

Motion confirming the Mayor's nomination of, and appointing, Suzy Loftus to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2016.

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby confirms the Mayor's nomination of, and appoints, Suzy Loftus to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2016, consistent with Section 4.109 of the City Charter.

Suzy Loftus, succeeding Jamie Slaughter, term expired, seat 5, must be nominated by the Mayor or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a four-year term ending April 30, 2016.

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City and County of San Francisco

Tails

Motion: M12-059

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120347 **Date Passed:** May 01, 2012

Motion confirming the Mayor's appointment of Suzy Loftus, term ending April 30, 2016, to the Police Commission.

April 19, 2012 Rules Committee - REFERRED WITHOUT RECOMMENDATION

May 01, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120347

I hereby certify that the foregoing Motion was APPROVED on 5/1/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120402 **MOTION NO.** M12-60

[Final Map 6865: 207 – 209-9th Street]

Motion approving Final Map 6865, a Three Unit Residential, Three Unit Commercial Mixed-Use Condominium Project, located at 207 - 209 9th Street; being a subdivision in Assessor's Block No. 3729, Lot No. 081; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 6865", comprising 2 sheets, approved March 28, 2012, by Department of Public Works Order No. 180,127 is hereby approved and said map is adopted as an Official Final Map 6865; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated August 19, 2011, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

GOVERNMENT
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RECOMMENDED:

Mohammed Nuru
Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-060

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120402 **Date Passed:** May 01, 2012

Motion approving Final Map 6865, a Three Unit Residential, Three Unit Commercial Mixed-Use Condominium Project, located at 207 - 209 9th Street; being a subdivision in Assessor's Block No. 3729, Lot No. 081; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

May 01, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120402

I hereby certify that the foregoing Motion was APPROVED on 5/1/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120267 MOTION NO. M12-61

[Affirming Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project.

WHEREAS, The proposed project approved by the Planning Commission at 8 Washington Street, located on Assessor's Block 168/Lot 58, Block 171/69, Block 201/Lot 12 and Seawall Lot 351 (which includes Lot 13), would demolish the Golden Gateway Tennis and Swim Club and an existing surface parking lot on Seawall Lot 351, and construct a new health club and two residential buildings, ranging from four to twelve stories in height, containing 145 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces within the RC-4 zoning district and 84-E height and bulk district (the "Project"); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") determined that an Environmental Impact Report ("EIR") was required under the California Environmental Quality Act ("CEQA") for the Project and provided public notice of that determination by publication in a newspaper of general circulation on December 8, 2007; and

WHEREAS, On June 15, 2011, the Department published the Draft Environmental Impact Report ("DEIR") for the Project (Planning Department Case No. 2007.0030E), filed a Notice of Completion with the State Secretary of Resources via the State Clearinghouse, and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed or otherwise delivered to the Department's list of

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persons requesting such notice, to adjacent property owners, government agencies and through the State Clearinghouse, and the date and time of the public hearing were posted near the Project site; and

WHEREAS, The Planning Commission held a duly noticed public hearing on the DEIR on July 21, 2011, at which time opportunity for public comment was provided on the DEIR, and written comments were received through August 15, 2011; and

WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Draft Summary of Comments and Responses on December 22, 2011; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, On March 22, 2012, the Planning Commission reviewed and considered the FEIR and, by Motion No. 18560, found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18560, the Commission found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Summary of Comments and Responses contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the FEIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, On March 22, 2012, by Motion No. 18561, the Planning Commission adopted findings under CEQA ("CEQA Approval Findings") and took various actions to approve the Project; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated March 26, 2012, Zane O. Gresham, on behalf of Equity Office Properties, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around March 26, 2012; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated April 4, 2012, Sue C. Hestor, on behalf of Friends of Golden Gateway, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around April 4, 2012; and

WHEREAS, On May 1, 2012, this Board held a duly noticed public hearing to consider the appeal of the FEIR certification filed by Appellant; and

WHEREAS, This Board has reviewed and considered the FEIR, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, the FEIR files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before this Board by reference in this motion; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. 18560 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

City and County of San Francisco

Tails

Motion: M12-061

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120267 **Date Passed:** May 15, 2012

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project.

May 01, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

May 15, 2012 Board of Supervisors - APPROVED

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

Noes: 3 - Avalos, Campos and Chiu

File No. 120267

I hereby certify that the foregoing Motion was APPROVED on 5/15/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120398 MOTION NO. M12-62

[Approving Planning Commission Decision Related to Conditional Use Authorization - 8 Washington Street/Seawall Lot 351]

Motion approving decision of the Planning Commission by its Motion No. 18567, approving Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ on property located at 8 Washington Street/Seawall Lot 351, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission's March 22, 2012, approving Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ, by its Motion No. 18567 for a Planned Unit Development, including specific modifications of Planning Code requirements regarding bulk limitations, rear yard, off-street loading, and off-street parking, and to allow development exceeding 50 feet in height within an RC District, to allow a non-accessory off-street parking garage to allow commercial uses above the ground floor, and to allow non-residential uses exceeding 6,000 square feet pursuant to Planning Code Sections 209.7(d), 209.8(c), 209.8(f), 253, 303, and 304, with respect to a proposal to demolish an existing surface parking lot and health club, and to construct a new health club, residential buildings ranging from four to twelve stories in height containing 134 dwelling units, ground floor retail uses totaling approximately 20,000 square feet, and 382 off-street parking spaces within the RC-4 (Residential-Commercial, High Density) District, and the 84-E Height and Bulk District, and adopting findings under the California Environmental Quality Act, on property located at:

8 Washington Street/Seawall Lot 351, Assessor's Block No. 0168/Lot No. 058,
Block No. 0171/Lot No. 069, and Block No. 0201/Lot Nos. 012-013

be and the same is approved.

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City and County of San Francisco
Tails
Motion: M12-062

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120398 **Date Passed:** May 15, 2012

Motion approving decision of the Planning Commission by its Motion No. 18567, approving Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ on property located at 8 Washington Street/Seawall Lot 351. and adopting findings pursuant to Planning Code Section 101.1.

May 15, 2012 Board of Supervisors - APPROVED

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

Noes: 3 - Avalos, Campos and Chiu

File No. 120398

I hereby certify that the foregoing Motion was APPROVED on 5/15/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120455 MOTION NO. M12-63

[Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 22, 2012, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on May 22, 2012, at 3:00 p.m. to hear a resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund.

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City and County of San Francisco

Tails

Motion: M12-063

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120455 **Date Passed:** May 15, 2012

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 22, 2012, at 3:00 p.m., to hold a public hearing on a resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund.

May 15, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120455

I hereby certify that the foregoing Motion was APPROVED on 5/15/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120486 MOTION NO. M12-64

[Appointments, Sunshine Ordinance Task Force]

Motion appointing Kitt Grant, David Pilpel, David Sims, Chris Hyland, and Louise Fischer, terms ending April 27, 2014, to the Sunshine Ordinance Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Sunshine Ordinance Task Force, pursuant to the provisions of the San Francisco Administrative Code, Section 67.30, for the terms specified:

Kitt Grant, seat 3, succeeding Sue Cauthen, term expired, must be a member of the press or electronic media with an interest in citizen access, for the unexpired portion of a two-year term ending April 27, 2014.

David Pilpel, seat 6, succeeding James Knoebber, resigned, must be experienced in consumer advocacy, for the unexpired portion of a two-year term ending April 27, 2014.

David Sims, seat 7, succeeding Jay Costa, term expired, must be experienced in consumer advocacy, for the unexpired portion of a two-year term ending April 27, 2014.

Chris Hyland, seat 9, succeeding Hanley Chan, term expired, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2014.

Louise Fischer, seat 10, succeeding Hope Johnson, term expired, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2014.

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City and County of San Francisco
Tails
Motion: M12-064

City Hall
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File Number: 120486 **Date Passed:** May 22, 2012

Motion appointing Kitt Grant, David Pilpel, David Sims, Chris Hyland, and Louise Fischer, terms ending April 27, 2014, to the Sunshine Ordinance Task Force.

May 17, 2012 Rules Committee - DIVIDED

May 17, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

May 17, 2012 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

May 22, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Noes: 1 - Olague

File No. 120486

I hereby certify that the foregoing Motion was APPROVED on 5/22/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Board
Bearing New Title – 05/22/12

FILE NO. 120553 **MOTION NO.** M12 – 65

[Appointment, Sunshine Ordinance Task Force]

Motion appointing Todd David, term ending April 27, 2014, to the Sunshine Ordinance Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Sunshine Ordinance Task Force, pursuant to the provisions of the San Francisco Administrative Code, Section 67.30, for the term specified:

Todd David, seat 8, succeeding Bruce Wolfe, term expired, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2014.

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Tails

Motion: M12-065

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File Number: 120553 **Date Passed:** May 22, 2012

Motion appointing Todd David, term ending April 27, 2014, to the Sunshine Ordinance Task Force.

May 17, 2012 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

May 22, 2012 Board of Supervisors - AMENDED

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell and Wiener
Noes: 5 - Avalos, Campos, Kim, Mar and Olague

May 22, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Noes: 1 - Olague

File No. 120553

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 5/22/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120538 MOTION NO. M12-66

[Waiver Permitting City Employees to Assist the Department of Elections with the June 5, 2012, Consolidated Primary Election]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 5, 2012, Consolidated Primary Election.

WHEREAS, San Francisco Charter section 13.104.5 prohibits City employees and officers (other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission) from performing "any function relating to the conduct of an election;" and,

WHEREAS, Charter section 13.104.5 authorizes the Board of Supervisors, upon the request of the Elections Commission, to waive this prohibition by motion; and,

WHEREAS, On April 18, 2012, the Elections Commission requested that the Board of Supervisors waive this prohibition to permit City employees to assist the Department of Elections with the June 5, 2012 election; now, therefore, be it

MOVED, the Board of Supervisors waives the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections before, during and after the June 5, 2012 election.

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Tails

Motion: M12-066

City Hall
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File Number: 120538 **Date Passed:** May 22, 2012

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the June 5, 2012, Consolidated Primary Election.

May 22, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120538

I hereby certify that the foregoing Motion was APPROVED on 5/22/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120491 **MOTION NO.** M12-067

[Appointment, Local Homeless Coordinating Board]

Motion appointing Laura Guzman, term ending October 21, 2015, to the Local Homeless Coordinating Board, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Local Homeless Coordinating Board, pursuant to the provisions of Resolution No. 827-97 and Resolution No. 926-99, for the term specified:

Laura Guzman (residency requirement waived,) seat 1, succeeding herself, term expired, must be a member of the disabled community, for the unexpired portion of a four-year term ending October 21, 2015.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Local Homeless Coordinating Board has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Laura Guzman, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Local Homeless Coordinating Board.
3. The Local Homeless Coordinating Board has attempted to fill the position, for which Laura Guzman was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Laura Guzman is qualified to serve on the Local Homeless Coordinating Board.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the

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specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Local Homeless Coordinating Board at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Laura Guzman, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco

Tails

Motion: M12-067

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120491 **Date Passed:** June 05, 2012

Motion appointing Laura Guzman, term ending October 21, 2015, to the Local Homeless Coordinating Board, and waiving residency requirement.

May 17, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

May 17, 2012 Rules Committee - RECOMMENDED..

June 05, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

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File No. 120491

I hereby certify that the foregoing Motion was APPROVED on 6/5/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120490 MOTION NO. M12-068

[Appointments - Child Care Planning and Advisory Council]

Motion appointing Candace Wong, Simon Lee, Natalie Kriger, and Michele Rutherford, terms ending March 19, 2015, to the Child Care Planning and Advisory Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Child Care Planning and Advisory Council, pursuant to the provisions of the San Francisco Administrative Code, Section 5.200, and California Education Code, Sections 8499-8499.8, for the terms specified:

Candace Wong, seat 3, succeeding herself, must be nominated by District 3 Supervisor, for the unexpired portion of a three-year term ending March 19, 2015.

Simon Lee, seat 4, succeeding himself, must be nominated by District 4 Supervisor, for the unexpired portion of a three-year term ending March 19, 2015.

Natalie Kriger, seat 5, succeeding herself, must be nominated by District 5 Supervisor, for the unexpired portion of a three-year term ending March 19, 2015.

Michele Rutherford, seat 12, succeeding herself, must be nominated by the President of the Board of Supervisors, for the unexpired portion of a three-year term ending March 19, 2015.

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City and County of San Francisco
Tails
Motion: M12-068

City Hall
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San Francisco, CA 94102-4689

File Number: 120490 **Date Passed:** June 05, 2012

Motion appointing Candace Wong, Simon Lee, Natalie Kriger, and Michele Rutherford, terms ending March 19, 2015, to the Child Care Planning and Advisory Council.

May 17, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

May 17, 2012 Rules Committee - RECOMMENDED..

June 05, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120490

I hereby certify that the foregoing Motion was APPROVED on 6/5/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120492 **MOTION NO.** M12-069

[Appointments, Pedestrian Safety Advisory Committee]

Motion appointing Paul Supawanich and Robin Brasso, terms ending March 28, 2013 and John Lowell, Howard Strassner, and Zachary Marks, terms ending March 28, 2014, to the Pedestrian Safety Advisory Committee

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Pedestrian Safety Advisory Committee, pursuant to the provisions of the Administrative Code Article IV, sections 5.20 and 5.21, for the term specified:

John Lowell, seat 4, succeeding himself, term expired, must be a representative from a senior or disability organization, for the unexpired portion of a two-year term ending March 28, 2014.

Paul Supawanich, seat 5, succeeding himself, resigned, must be a representative from a bicycle or other non-motorized wheeled personal transport organization, for the unexpired portion of a two-year term ending March 28, 2013.

Howard Strassner, seat 6, succeeding himself, term expired, must be a representative from a transit or environmental organization, for the unexpired portion of a two-year term ending March 28, 2014.

Robin Brasso, seat 7, term expired, must be a representative from a children's advocate or school support organization, for the unexpired portion of a two-year term ending March 28, 2013.

Zachary Marks, seat 10, succeeding Paul Supawanich, term expired, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2014.

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City and County of San Francisco
Tails
Motion: M12-069

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File Number: 120492 **Date Passed:** June 05, 2012

Motion appointing Paul Supawanich and Robin Brasso, terms ending March 28, 2013, and John Lowell, Howard Strassner, and Zachary Marks, terms ending March 28, 2014, to the Pedestrian Safety Advisory Committee

May 17, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

May 17, 2012 Rules Committee - RECOMMENDED..

June 05, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120492

I hereby certify that the foregoing Motion was APPROVED on 6/5/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 111326 MOTION NO. M12-070

[Confirming Appointment, Municipal Transportation Agency Board of Directors – Cristina Rubke]

Motion confirming the Mayor's appointment of Cristina Rubke, term ending March 1, 2016, to the Municipal Transportation Agency Board of Directors.

WHEREAS, Article VIII.A of the City Charter, approved November 1999, establishes the Municipal Transportation Agency ("MTA") which includes the Municipal Railway and shall include the Department of Parking and Traffic; and

WHEREAS, The MTA includes a Board of Directors governed by a board of seven directors appointed by the Mayor and confirmed by the Board of Supervisors; and

WHEREAS, At least four of the directors must be regular riders of the municipal railway and must continue to ride the municipal railway during their terms; and

WHEREAS, The directors must posses significant knowledge of, or professional experience in, one or more the fields of government, finance, or labor relations; and

WHEREAS, At least two of the directors must possess significant knowledge of, or professional experience in, the field of public transportation; and

WHEREAS, The Mayor has appointed Cristina Rubke to the MTA Board of Directors to serves a term ending March 1, 2016; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the Mayor's appointment of Cristina Rubke to the Board of Directors of the Municipal Transportation Agency for a term ending March 1, 2016.

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City and County of San Francisco
Tails
Motion: M12-070

File Number: 111326 **Date Passed:** June 05, 2012

Motion confirming the Mayor's appointment of Cristina Rubke, term ending March 1, 2016, to the Municipal Transportation Agency Board of Directors.

May 17, 2012 Rules Committee - RECOMMENDED

June 05, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 111326

I hereby certify that the foregoing Motion was APPROVED on 6/5/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120493 **MOTION NO.** M12-071

[Appointment, Association of Bay Area Governments Executive Board]

Motion appointing Supervisor Christina Olague, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Executive Board, Association of Bay Area Governments, for the term specified:

Supervisor Christina Olague, succeeding Supervisor John Avalos, seat 1, resigned, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2013.

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Rules Committee

City and County of San Francisco
Tails
Motion: M12-071

City Hall
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San Francisco, CA 94102-4689

File Number: 120493 **Date Passed:** June 05, 2012

Motion appointing Supervisor Christina Olague, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board.

May 17, 2012 Rules Committee - RECOMMENDED

June 05, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague

File No. 120493

I hereby certify that the foregoing Motion was APPROVED on 6/5/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120574 **MOTION NO.** M12-072

[Final Map 6375: 2000 Ellis Street]

Motion approving Final Map 6375, a 21 Unit Residential Condominium Project, located at 2000 Ellis Street, being a subdivision in Assessor's Block No. 1101, Lot No. 048; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 6375", comprising 2 sheets, approved May 3, 2012, by Department of Public Works Order No. 180, 238 is hereby approved and said map is adopted as an Official Final Map 6375; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated June 17, 2011, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Mohammed Nuru
Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-072

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120574 **Date Passed:** June 05, 2012

Motion approving Final Map 6375, a 21 Unit Residential Condominium Project, located at 2000 Ellis Street, being a subdivision in Assessor's Block No. 1101, Lot No. 048; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

June 05, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120574

I hereby certify that the foregoing Motion was APPROVED on 6/5/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120629 MOTION NO. M12-73

[Committee of the Whole - Hearing on the Warriors Arena Sole Source Negotiations]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 12, 2012, at 3:00 p.m., to hold a public hearing on a Resolution: 1) finding that the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) urging OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29.

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MOVED, That the Board of Supervisors convene as a Committee of the Whole on June 12, 2012, at 3:00 p.m. to hear a Resolution 1) finding that the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) urging OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29.

City and County of San Francisco
Tails
Motion: M12-073

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120629 **Date Passed:** June 12, 2012

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 12, 2012, at 3:00 p.m., to hold a public hearing on a Resolution: 1) finding that the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) urging OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29.

June 12, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120629

I hereby certify that the foregoing Motion was APPROVED on 6/12/2012 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

FILE NO. 120541 MOTION NO. M12-74

[Committee of the Whole - Hearing on the Report of Assessment Costs for Sidewalk and Curb Repairs]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 19, 2012, at 3:00 p.m., to hold a public hearing on a Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on June 19, 2012, at 3:00 p.m. to hear a Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

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City and County of San Francisco
Tails
Motion: M12-074

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120541 **Date Passed:** June 12, 2012

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 19, 2012, at 3:00 p.m., to hold a public hearing on a Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

June 12, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Absent: 1 - Cohen

File No. 120541

I hereby certify that the foregoing Motion was APPROVED on 6/12/2012 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

FILE NO. 120579 **MOTION NO. M12-75**

[Appointments, Balboa Park Station Community Advisory Committee]

Motion appointing Catherine Hickey (residency requirement waived), Scott Falcone, and Robert Muehlbauer, terms to be determined, to the Balboa Park Station Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Balboa Park Station Community Advisory Committee, pursuant to the provisions in the Board of Supervisors Resolution No. 63-12, for the terms specified:

Catherine Hickey (residency requirement waived), seat 6, new appointment, must represent the community and economic development in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Scott Falcone, seat 7, new appointment, must be from a land use and housing group in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Robert Muehlbauer, seat 9, new appointment, must represent neighborhood residents' interests in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Balboa Park Station Community Advisory Committee has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Catherine Hickey, a new appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Balboa Park Station Community Advisory Committee.
3. The Balboa Park Station Community Advisory Committee has attempted to fill the position, for which Catherine Hickey was nominated, with an individual who is a City

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resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Catherine Hickey is qualified to serve on the Balboa Park Station Community Advisory Committee.

4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Balboa Park Station Community Advisory Committee at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Catherine Hickey, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco
Tails
Motion: M12-075

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120579 **Date Passed:** June 19, 2012

Motion appointing Catherine Hickey (residency requirement waived), Scott Falcone, and Robert Muehlbauer, for terms to be determined, to the Balboa Park Station Community Advisory Committee.

June 07, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

June 07, 2012 Rules Committee - RECOMMENDED..

June 19, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120579

I hereby certify that the foregoing Motion was APPROVED on 6/19/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120584 MOTION NO. M12-76

[Appointments, Sweatfree Procurement Advisory Group]

Motion appointing Heather Franzese and Daniel Marroquin, terms ending December 17, 2013, to the Sweatfree Procurement Advisory Group.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Sweatfree Procurement Advisory Group, pursuant to the provisions of Board of Supervisors Ordinance No. 223-05, for the terms specified:

Heather Franzese, seat 2, succeeding Alicia Culver, term expired, must have significant experience acquiring goods or services for a public entity, for the unexpired portion of a two-year term ending December 17, 2013.

Daniel Marroquin, seat 3, succeeding Eleanor Morton, term expired, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a two-year term ending December 17, 2013.

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City and County of San Francisco
Tails
Motion: M12-076

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120584 **Date Passed:** June 19, 2012

Motion appointing Heather Franzese and Daniel Marroquin, terms ending December 17, 2013, to the Sweatfree Procurement Advisory Group.

June 07, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

June 07, 2012 Rules Committee - RECOMMENDED..

June 19, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120584

I hereby certify that the foregoing Motion was APPROVED on 6/19/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120711 MOTION NO. M12-77

[Committee of the Whole – Hearing on the Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 26, 2012, at 3:00 p.m., to hold a public hearing on the Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on June 26, 2012, at 3:00 p.m. to hear a Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund.

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Motion: M12-077

File Number: 120711 **Date Passed:** June 26, 2012

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 26, 2012, at 3:00 p.m., to hold a public hearing on a resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund.

June 26, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120711

I hereby certify that the foregoing Motion was APPROVED on 6/26/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120697 MOTION NO. M12-78

[Affirming Certification of the Transit Center District Plan and Transit Tower FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Transit Center District Plan and Transbay Joint Power's Authority Transit Tower Project.

WHEREAS, The Transit Center District Plan proposes new planning policies and controls for land use; urban form, including building height and design; street change/public realm improvements; historic preservation; and sustainability (the "Plan"). The area subject to the Plan is centered on the new Transit Center, and is bounded generally by Market, Steuart, and Folsom Streets, and a line east of Third Street. The Plan would allow height limit increases permitting up to about six buildings at a height of 700 feet or taller, including the proposed Transit Tower. It also includes financial support for the new Transit Center, which is under construction and will replace the former Transbay Terminal as a regional transit hub; and,

WHEREAS, The Transit Tower Project is proposed by the Transbay Joint Powers Authority (the "TJPA") as a 61-story, approximately 1,070-foot office building consisting of about 1.35 million square feet of office space proposed for approximately the northern third of the block bounded by First, Mission, Fremont, and Howard Streets. The Transit Tower Project would occupy Assessor's Block 3720, Lot 09 adjacent to the new Transit Center, on the south side of Mission Street between Fremont and First Streets. The project site is approximately 50,000 square in size and was most recently used as the passenger waiting and loading and MUNI drop-off/layover area for the old Transbay Terminal, which was demolished beginning in August 2010. The TJPA intends to sell the Transit Tower site to

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Hines Transbay Tower LLC, which would development the tower. The TJPA would use the proceeds from the sale to help fund the Transit Center project; and,

WHEREAS, The Planning Department determined that an environmental impact report was required for the Plan and Tower Center Project and prepared a Notice of Preparation ("NOP") of an Environmental Impact Report on July 20, 2008. The NOP was circulated for 30 days for public comment and review; and,

WHEREAS, On September 28, 2011, the Department published the Draft Environmental Impact Report ("DEIR") for the Plan and the Tower Center Project (Planning Department Case No. 2007.0558E and 2008.0789E). The DEIR included a programmatic analysis of the Plan and a project-specific analysis of the Tower Center Project; and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR, on November 3, 2011, at which time opportunity for public comment was provided on the DEIR, and written comments were received through November 28, 2011; and,

WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Comments and Responses Document on May 10, 2012; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available and the Comments and Responses document, all as required by law; and,

WHEREAS, On May 24, 2012, the Planning Commission reviewed and considered the FEIR and, by Motion No. 18628 found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and, WHEREAS, By Motion No. 18628 the Commission found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Comments and Responses document contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the FEIR in compliance with CEQA and the State CEQA Guidelines; and,

WHEREAS, On May 24, 2012, by Motion No. 18629 the Commission adopted CEQA Approval Findings, including a statement of overriding considerations and a Mitigation Monitoring and Reporting Program, and approved the Project; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated June 13, 2012, Sue C. Hestor, on behalf of Save Our Parks Sunlight Coalition, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around June 13, 2012; and,

WHEREAS, On July 10, 2012, this Board held a duly noticed public hearing to consider the appeal of the FEIR certification filed by Appellant; and,

WHEREAS, This Board has reviewed and considered the FEIR, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and,

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before this Board by reference in this Motion; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. 18628 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

City and County of San Francisco

Tails

Motion: M12-078

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120697 **Date Passed:** July 10, 2012

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Transit Center District Plan and Transbay Joint Power's Authority Transit Tower Project.

July 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120697

I hereby certify that the foregoing Motion was APPROVED on 7/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120692 MOTION NO. M12-79

[Affirming Certification of the Beach Chalet Athletic Fields Renovation Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Beach Chalet Athletic Fields Renovation Project.

WHEREAS, The proposed Project involves the San Francisco Recreation and Parks Department's renovation of the Beach Chalet Athletic Fields facility, an approximately 9.4-acre public sports field facility located at 1500 John F. Kennedy Drive, along the western edge of Golden Gate Park. The Project site currently include four grass turf athletic fields surrounded by an 8-foot-tall metal chain link fence, an approximately 25,320 square-foot, 50-space asphalt parking lot (including one disabled-accessible space), a restroom building, and a cargo container being used as a maintenance shed. The Project would include replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and seating, and completing other modifications for parking, circulation, and spectator amenities; and

WHEREAS, The Planning Department determined that an environmental impact report was required for the Project and issued a Notice of Preparation ("NOP") of an Environmental Impact Report on February 2, 2011, analyzing the potential environmental impacts of the proposed project; and

WHEREAS, On October 26, 2011, the Department published the Draft Environmental Impact Report ("DEIR") for the Project (Planning Department Case No. 2010.0016E); and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR, on December 1, 2011, at which time opportunity for public comment was provided on the DEIR, and written comments were received through December 12, 2011; and

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WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Comments and Responses Document; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available and the Comments and Responses document, all as required by law; and

WHEREAS, On May 24, 2012, the Planning Commission reviewed and considered the FEIR and, by Motion No. 18637 found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18637 the Planning Commission found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Planning Commission and that the Comments and Responses document contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the FEIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, On May 24, 2012, the Planning Commission and the Recreation and Parks Commission at a duly noticed joint hearing each adopted CEQA Approval Findings, including a statement of overriding considerations and a Mitigation Monitoring and Reporting Program, and approved the Project; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated June 12, 2012, Richard Drury of Lozeau Drury LLP, on behalf of SF Ocean Edge, the Sierra Club San Francisco Bay Chapter, the Golden Gate Audubon Society, Sunset Parkside Education and

Action Committee, the Richmond Community Association, Golden Gate Park Preservation Alliance, and Katherine Howard (collectively "Appellants"), filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around June 12, 2012; and

WHEREAS, On July 10, 2012, this Board held a duly noticed public hearing to consider the appeal of the FEIR certification filed by Appellant; and

WHEREAS, This Board has reviewed and considered the FEIR, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the adequacy of the FEIR; and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before this Board by reference in this motion; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. 18637 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

City and County of San Francisco

Tails

Motion: M12-079

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120692 **Date Passed:** July 10, 2012

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Beach Chalet Athletic Fields Renovation Project.

July 10, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Noes: 1 - Olague

File No. 120692

I hereby certify that the foregoing Motion was APPROVED on 7/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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FILE NO. 120661 MOTION NO. M12-80

[Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 800 Presidio Avenue]

Motion: 1) making environmental findings and finding the Tentative Parcel Map for a 2-unit multi-use subdivision located at 800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; 2) approving the decision of the Department of Public Works; and 3) approving the Tentative Parcel Map.

WHEREAS, The Planning Department found the subject Tentative Parcel Map in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) and found it consistent with the City's General Plan and priority policy findings of Planning Code Section 101.1. Said determination is on file with the Clerk of the Board of Supervisors in File No. 120660 and is incorporated herein by reference; and,

WHEREAS, The Department of Public Works, in a decision dated May 31, 2012, approved a Tentative Parcel Map for a 2-unit multi-use subdivision at 800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013. Said determination is on file with the Clerk of the Board of Supervisors in File No. 120660 and is incorporated herein by reference; and,

WHEREAS, On June 11, 2012, Stephen M. Williams, on behalf of Neighborhoods for Fair Planning, filed a timely appeal to the decision of the Department of Public Works; and,

WHEREAS, On July 10, 2012, this Board held a duly noticed public hearing to consider the appeal of the Tentative Parcel Map filed by Appellants; and,

WHEREAS, This Board has reviewed and considered the subject Map, the appeal letter, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the subject Map; now, therefore, be it

MOVED, That the Board hereby adopts as its own the Planning Department's environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1 concerning a Tentative Parcel Map for a 2-unit multi-use subdivision at 800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013; and, be it

FURTHER MOVED, That the Board approves the decision of the Department of Public Works concerning the Tentative Parcel Map and hereby approves said Map.

City and County of San Francisco
Tails
Motion: M12-080

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120661 **Date Passed:** July 10, 2012

Motion: 1) making environmental findings and finding the Tentative Parcel Map for a 2-unit multi-use subdivision located at 800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; 2) approving the decision of the Department of Public Works; and 3) approving the Tentative Parcel Map.

July 10, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120661

I hereby certify that the foregoing Motion was APPROVED on 7/10/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole Bearing
New Title – 7/11/12

FILE NO. 120733 MOTION NO. M12-081

[Appointment, Planning Commission – Richard Hillis]

Motion approving the Mayor's nomination of Richard Hillis to the Planning Commission term ending July 1, 2016.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Richard Hillis to the Planning Commission, received by the Clerk of the Board on July 2, 2012; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination of Richard Hillis to the Planning Commission term ending July 1, 2016.

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City and County of San Francisco

Tails

Motion: M12-081

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120733 **Date Passed:** July 17, 2012

Motion approving the Mayor's nomination of Richard Hillis to the Planning Commission term ending July 1, 2016.

July 11, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 11, 2012 Rules Committee - RECOMMENDED AS AMENDED

July 17, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120733

I hereby certify that the foregoing Motion was APPROVED on 7/17/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title – 7/11/12

FILE NO. 120734 MOTION NO. M12-082

[Reappointment, Planning Commission – Cindy Wu]

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Cindy Wu to the Planning Commission term ending July 1, 2016.

WHEREAS, Pursuant to Charter Section 4.105, the Board President has submitted a communication notifying the Board of Supervisors of the nomination of Cindy Wu to the Planning Commission, received by the Clerk of the Board on July 6, 2012; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the President's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the President's nomination of Cindy Wu to the Planning Commission term ending July 1, 2016.

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City and County of San Francisco

Tails

Motion: M12-082

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120734 **Date Passed:** July 17, 2012

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Cindy Wu to the Planning Commission term ending July 1, 2016.

July 11, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 11, 2012 Rules Committee - RECOMMENDED AS AMENDED

July 17, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120734

I hereby certify that the foregoing Motion was APPROVED on 7/17/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 120683 MOTION NO. M12-83

[Declaration of Policy - Repealing Corporate Personhood]

Motion ordering submitted to the voters a policy declaration that supports limits on political campaign contributions and spending; and opposes artificial corporate rights, and giving corporations the same rights entitled to human beings, at an election to be held on November 6, 2012.

MOVED, That the Board of Supervisors hereby submits the following declaration of policy to the voters of the City and County of San Francisco, at an election to be held on November 6, 2012.

Declaration of the City and County of San Francisco to limit political campaign contributions and spending and opposes giving corporations rights entitled to human beings.

The People of the City and County of San Francisco declare that:

It is the position of the People of the City and County of San Francisco that the United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings ("natural persons"), and corporations are specifically not mentioned in the Constitution as deserving of rights entitled to human beings. Although corporations can and do make important contributions to our society using advantages that the government has wisely granted them, the People of the City and County of San Francisco do not consider them natural persons.

It is also the position of the People of the City and County of San Francisco that the United States 5:4 ruling in *Citizens United v. the Federal Election Commission* (January 21, 2010)

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presents a serious threat to democracy by rolling back remaining legal limits on corporate spending in the electoral process; allowing unlimited corporate spending to influence elections, candidate selection, and policy decisions; and potentially unleashing unprecedented amounts of corporate money into our political process. The opinion of the four dissenting justices in the *Citizens United* case noted that corporations have special advantages not enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets, which allow them to engage in exorbitant campaign spending. Through this action, federal courts have enabled the rise of a new type of political action committee (super PACs), that are dominating many elections.

It is the position of the People of the City and County of San Francisco that corporations should not receive the same constitutional rights as natural persons because the expenditure of corporate money is not a form of constitutionally-protected speech, and limits on political spending will promote the goals of the First Amendment, by ensuring that all citizens - regardless of wealth - have an opportunity to have their political views heard.

The People of the City and County of San Francisco instruct our Representatives and Senators in Congress to pass a constitutional amendment to limit campaign contributions and spending and end artificial corporate rights, reversing the decision of the *Citizens United* case. The People of the City and County of San Francisco call on other communities and jurisdictions to join this action by passing similar Resolutions.

City and County of San Francisco
Tails
Motion: M12-083

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120683 **Date Passed:** July 24, 2012

Motion ordering submitted to the voters a policy declaration that supports limits on political campaign contributions and spending; and opposes artificial corporate rights, and giving corporations the same rights entitled to human beings, at an election to be held on November 6, 2012.

July 16, 2012 Rules Committee - RECOMMENDED

July 24, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120683

I hereby certify that the foregoing Motion was APPROVED on 7/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title – 7/19/12

FILE NO. 120744 MOTION NO. M12-084

[Appointment, Board of Appeals - Ann Lazarus]

Motion approving the Mayor's appointment of Ann Lazarus to the Board of Appeals for the term ending July 1, 2014.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Ann Lazarus to the Board of Appeals, received by the Clerk of the Board on June 25, 2012; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination of Ann Lazarus to the Board of Appeals term ending July 1, 2014.

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City and County of San Francisco
Tails
Motion: M12-084

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120744 **Date Passed:** July 24, 2012

Motion approving the Mayor's appointment of Ann Lazarus to the Board of Appeals for the term ending July 1, 2014.

July 19, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 19, 2012 Rules Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

July 24, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120744

I hereby certify that the foregoing Motion was APPROVED on 7/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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FILE NO. 120496 MOTION NO. M12-065

[Affirming the Exemption Determination - 601 Dolores Street]

Motion affirming the determination by the Planning Department that a project located at 601 Dolores Street is exempt from environmental review.

WHEREAS, The Planning Department has determined that a project located at 601 Dolores Street is exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31. The proposed project involves the conversion of an existing residential use in a former church structure into middle-school class rooms and a multi-purpose assembly space and associated interior and exterior changes to the building. By letter to the Clerk of the Board, Jeffery Goldfarb and Elizabeth Erhardt of Rutan & Tucker, LLP, on behalf of J. Landon Gates and Anne Timmer Gates, (Appellants) received by the Clerk's Office on May 9, 2012, appealed the exemption determination. The Appellants provided a copy a Certificate of Determination, Exemption From Environmental Review, issued by the Planning Department on April 9, 2012, finding the proposed project exempt from environmental review under CEQA Guidelines Class 32 (14 Cal. Code. Regs. §15332); and

WHEREAS, On June 19, 2012, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellants, and following the public hearing affirmed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 120495 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination; and be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial project changes, no substantial changes in project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the proposed project at its various locations is exempt from environmental review; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the project at its various locations qualifies for a exemption determination under CEQA.

City and County of San Francisco
Tails
Motion: M12-085

City Hall
1 Dr. Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120496 **Date Passed:** July 24, 2012

Motion affirming the determination by the Planning Department that a project located at 601 Dolores Street is exempt from environmental review.

June 19, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

June 26, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

July 24, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120496

I hereby certify that the foregoing Motion was APPROVED on 7/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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AMENDED IN BOARD
7/24/12

FILE NO. 120648 MOTION NO. M12-086

[Reversing the Conditional Use Authorization – 601 Dolores Street; Approving the Conditional Use as Modified by the Board of Supervisors]

Motion 1) disapproving the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street; and 2) approving conditional use on property located at 601 Dolores Street subject to the conditions set forth in Planning Commission Motion No. 18604, as modified by the Board of Supervisors on July 24, 2012, and subject to additional conditions imposed by the Board on July 24, 2012.

MOVED, That the decision of the Planning Commission's April 26, 2012, Conditional Use Authorization identified as Planning Case No. 2011.0584CV, by its Motion No. 18604, under Planning Code Sections 209.3(g), 303, and 317, for the conversion of a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School" for a property located within a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District, on property located at:

601 Dolores Street, Assessor's Block No. 3598, Lot No. 060

be and the same is disapproved.

FURTHER MOVED, That conditional use at said property is hereby authorized as set forth in the decision of the Planning Commission by its Motion No. 18604, Planning Case No. 2011.0584CV, except that conditions 8 and 9 in said motion are superseded by the following conditions 8 and 9, as modified by the Board of Supervisors on July 24, 2012:

8. Hours of Operation on Roof Deck.

(a) School Day Hours and Occupancy Limitations:

The deck may be used Monday – Friday, with the following Occupancy Limits:

9:00 AM – 11:00 AM: Maximum occupancy of 53;

11:00 AM – 1:00 PM (Lunch Only Hours): Maximum occupancy of 91;

1:00 PM – 3:30 PM: Maximum occupancy of 53;

3:30 PM – 5:00 PM; Maximum occupancy of 25.

For the 9:00 AM – 11:00 and 1:00 PM – 5:00 PM hours, there would be a cap of:

20 hours per week

For the 11:00 AM – 1 PM Lunch, it will only be allowed 3 days/week. The other:

Two days the deck will be unoccupied during those hours.

These hours of operation for the roof deck are for those weeks of the regular School program schedule as posted in the published annual calendar.

(b) Weekend/Night Usage:

A maximum of 6 weekend or evening events per year (between 6:00 PM – 9:00 PM). A two-week notification must be provided by CDS to the Neighbors via email to Landon Gates jlandongates@gmail.com; Sandra Steele ssteele@permitme.net. Maximum capacity is 91.

(c) Summertime Usage:

9:00 AM – 5:00 PM Deck Usage, with a 25 person maximum occupancy and 20 hour weekly cap. These hours of operation for the roof deck are for those weeks of the summer school program schedule as posted in the published annual calendar.

Summer school program is that formal scholastic program offered by CDS on set weeks between the end of the normal School Year and the beginning of the following School Year. The School Year typically starts the week after Labor Day and typically ends the second week of June.

9. Mechanical Equipment, Rooftop Improvements, and Use of Deck.

(a) Mechanical Room will remain in the location shown in latest drawings dated July 2, 2012.

No additional mechanical equipment other than shown in the drawings, dated 7/2/12, is contemplated at this time. Should any new mechanical equipment be required for future code compliance for the school's continued usage and/or as a result of changes in the Building Codes of the City and County of San Francisco then neighbors shall be given 45-days written notice prior to the application of any building permit to construct such new equipment on the roof. Neighbors reserve all rights to oppose placement of new or additional mechanical systems on to rooftop. In the event that different mechanical systems are desired during the design phase which were not contemplated and depicted in the 7/2/12 drawings then CDS shall provide the neighbors advanced notice of their desire to modify the mechanical systems. Provided the new systems do not generate more noise, emissions, or vibrations than the ones depicted in the 7/2/12 plans and do not require housing in a larger or taller structure than the one depicted in the 7/2/12 drawings, then the neighbors will not oppose the modification.

The new location of the Mechanical Room as defined herein has not been approved by the Zoning Administrator and may require a variance to comply with the Planning Code. The adoption of these conditions shall not supersede the authority of the Zoning Administrator to approve this relocation.

(b) A roof deck, with an associated new stairwell/elevator penthouse, shall be constructed consistent with the drawings dated July 2, 2012. This shows a smaller deck than that shown on the Conditional Use Application Drawings and it is pulled back from both the Eastern and Southern edges of the roof.

(c) The only mechanical equipment will be two high-efficiency boilers and two pumps within an enclosed mechanical room as depicted in the drawings dated July 2, 2012, and also an exhaust fan for building ventilation. Specifications have been provided on these items, as well as a discussion on how they will meet allowable noise standards. One water heater has been moved from the roof into the building.

(d) The elevator is provided for ADA compliance and will not be available for regular use by students and staff. The elevator will be used only for those requiring physical assistance or freight purposes.

(e) The railings surrounding the roof deck will be 60 inches tall, and made of clear safety glass, to be constructed with minimal openings to assist in sound containment from rooftop usage.

(f) Planter boxes and/or benches on the roof deck must be a minimum of 3 feet away from the railings (railings remain where they are). Latest Plans shows benches completely removed.

(g) Plants may not be any taller than 72 inches from the surface of the deck.

(h) No amplified sound allowed from the roof deck at any hour.

(i) No awnings, heating devices, and/or umbrellas will be allowed on deck.

(j) No 3rd party usage of the deck shall be allowed (3rd party shall mean all attendees as well as hosts of events must be associated with the school) No renting, lending or bartering the deck space to CDS community or others for functions unrelated to operation of the school.

(k) No alcohol can be served or consumed on the roof deck. Also no smoking allowed.

(l) Roof deck cannot be used for recess or gym. Only instructional use and lunches will be allowed (lunches subject to three days a week limit).

(m) CDS to provide the neighbors with a 24 hour point of contact for any neighbor concerns.

(n) CDS to hold quarterly meetings with the neighbors to discuss any concerns the neighbors might have regarding school activities and explore methods for resolving those concerns.

(o) No lighting shall be installed on deck. Only the minimum amount of lighting required by egress code.

(p) No children may use the deck without adult supervision on the deck.

FURTHER MOVED, conditional use at said property is authorized as modified by this motion and subject to the following additional condition No. 10, imposed by the Board of Supervisors on July 24, 2012.

10. Additional Permit Approvals and Authorizations, Notice to Appellants.

The Appellants shall not, directly or indirectly, contest the issuance of buildings permits, variances or other governmental approvals that may be required to construct the plans for the Project as contemplated and proposed in the 7/2/12 drawings as further modified by the agreements contained herein. To the extent to which the applications for building permits, variances or other governmental approvals pertain to matters beyond those addressed in the mediation between CDS and the Appellants, the Appellants right to object to that portion of the building permits, variances or other governmental approvals are reserved. CDS shall provide prior notice of any buildings permits, variances or other governmental approvals which fall outside of the matters negotiated by the parties SF 1360045v3 to attempt to resolve the concerns of Appellants and avoid any formal challenges by the neighbors.

The parties will negotiate any potential conflicts in good faith.

City and County of San Francisco
Tails
Motion: M12-086

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120648 **Date Passed:** July 24, 2012

Motion: 1) disapproving the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street; and 2) approving conditional use on property located at 601 Dolores Street subject to the conditions set forth in Planning Commission Motion No. 18604, as modified by the Board of Supervisors on July 24, 2012, and subject to additional conditions imposed by the Board on July 24, 2012.

June 26, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

July 24, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

July 24, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120648

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 7/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120649 MOTION NO. M12-067

[Preparation of Findings Related to the Conditional Use Authorization - 601 Dolores Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street.

IT IS HEREBY MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street.

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City and County of San Francisco

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Motion: M12-087

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120649 **Date Passed:** July 24, 2012

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street.

June 26, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

July 24, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120649

I hereby certify that the foregoing Motion was APPROVED on 7/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120653 MOTION NO. M12-088

[Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]

Motion directing the Board of Supervisors to hold a public hearing on July 31, 2012, at 3:00 p.m. with the Board sitting as a Committee of the Whole, to consider adopting a resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A – Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on July 31, 2012 at 3:00 p.m. to hear a resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A – Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above.

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City and County of San Francisco

Tails

Motion: M12-088

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120653 **Date Passed:** July 24, 2012

Motion directing the Board of Supervisors to hold a public hearing on July 31, 2012, at 3:00 p.m. with the Board sitting as a Committee of the Whole, to consider adopting a Resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and Fees pursuant to the provisions of Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above.

July 24, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120653

I hereby certify that the foregoing Motion was APPROVED on 7/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120785 MOTION NO. M12-089

[Suspending Board Rule 4.29 - Scheduling Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. - September 4, 2012, Board Meeting]

Motion suspending Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. instead of 4:00 p.m. at the September 4, 2012, Board Meeting.

MOVED, That the Board of Supervisors suspends Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. instead of 4:00 p.m. at the September 4, 2012, Board Meeting.

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Clerk of the Board, Supervisors Campos, Avalos, Chiu, Cohen, Mar, Olague

City and County of San Francisco

Tails

Motion: M12-089

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120785 **Date Passed:** July 24, 2012

Motion suspending Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. instead of 4:00 p.m. at the September 4, 2012, Board Meeting.

July 24, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120785

I hereby certify that the foregoing Motion was APPROVED on 7/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120722 MOTION NO. M12-090

[Appointment, San Francisco Sentencing Commission]

Motion appointing Theshia Naidoo, term to be determined, to the San Francisco Sentencing Commission, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the San Francisco Sentencing Commission, pursuant to the provisions of Board of Supervisors Ordinance No. 10-12 for the term specified:

Theshia Naidoo, seat 1 (residency requirement waived), new appointment, must be a sentencing expert, for a term to be determined.

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the San Francisco Sentencing Commission has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Theshia Naidoo, a new appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the San Francisco Sentencing Commission.
3. The San Francisco Sentencing Commission has attempted to fill the position, for which Theshia Naidoo was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Theshia Naidoo is qualified to serve on the San Francisco Sentencing Commission.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the

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specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the San Francisco Sentencing Commission at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Theshia Naidoo, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco
Tails
Motion: M12-090

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120722 **Date Passed:** July 31, 2012

Motion appointing Theshia Naidoo, term to be determined, to the San Francisco Sentencing Commission, residency requirement waived.

July 19, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

July 19, 2012 Rules Committee - RECOMMENDED..

July 31, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague and Wiener
Absent: 1 - Kim

File No. 120722

I hereby certify that the foregoing Motion was APPROVED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole
in Board – 7/31/12

FILE NO. 120732

MOTION NO. M12-091

[Reappointment, Planning Commission – Michael Antonini]

Motion approving the Mayor's nomination of Michael Antonini to the Planning Commission term ending July 1, 2016.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Michael Antonini to the Planning Commission, received by the Clerk of the Board on July 2, 2012; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination of Michael Antonini to the Planning Commission term ending July 1, 2016.

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City and County of San Francisco
Tails
Motion: M12-091

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 120732 **Date Passed:** July 31, 2012

Motion approving the Mayor's nomination of Michael Antonini to the Planning Commission term ending July 1, 2016.

July 11, 2012 Rules Committee - RECOMMENDED

July 17, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

July 24, 2012 Board of Supervisors - CONTINUED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

July 31, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 6 - Chu, Cohen, Elsbernd, Farrell, Olague and Wiener

Noes: 5 - Avalos, Campos, Chiu, Kim and Mar

July 31, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 6 - Chu, Cohen, Elsbernd, Farrell, Olague and Wiener

Noes: 5 - Avalos, Campos, Chiu, Kim and Mar

File No. 120732

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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7/24/12

FILE NO. 120681 MOTION NO. M12-092

[Initiative Ordinance – Business and Tax Regulations Code – Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]

Motion ordering submitted to the voters an "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately $28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012.

MOVED, That the Board of Supervisors hereby submits the following Ordinance to the voters of the City and County of San Francisco, at an election to be held on November 6, 2012.

Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco;

2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately $28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Planning Department has determined that the actions contemplated in this Ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 120681 and is incorporated herein by reference.

Section 2. Pursuant to Article XIIIC of the Constitution of the State of California, this Ordinance shall be submitted to the qualified electors of the City and County of San Francisco, at the November 6, 2012 consolidated general election.

Section 3. The San Francisco Business and Tax Regulations Code is hereby amended by adding Article 12-A-1 to read as follows:

SEC. 950. FINDINGS AND PURPOSE.

The voters hereby find and declare as follows:

1. San Francisco is the only major city in California that levies its entire business tax on payroll expense. This exclusive payroll-based tax discourages job creation and economic growth, lowers wages, and provides an unstable revenue stream.

2. San Francisco currently charges a flat rate on its payroll expense tax base. Instituting a tiered rate structure, in which businesses are taxed based on their gross receipts, will better distribute the tax burden according to a business's ability to pay.

3. Gross receipts is the most common business tax base among California's largest cities.

4. Amending San Francisco's business tax system to include a gross receipts tax will promote revenue stability by diversifying the tax base.

5. The rate schedules and the small business exemption for businesses with receipts under $1,000,000 provide particular tax relief to small businesses.

6. The legislation will gradually phase in the new gross receipts tax over a five-year period, beginning in tax year 2014, to allow businesses time to adjust to the change and to minimize the risk to the City and to taxpayers of instability in City revenues during the transition from the payroll expense tax to a gross receipts tax.

7. Also beginning in tax year 2014, the payroll expense tax will be adjusted, over the same period, in increments that are consistent with the phase in of the gross receipts tax.

8. Each year during the phase-in period, the formula dictates an increase in the gross receipts tax rate and an adjustment in the payroll expense tax rate that is expected to reduce the payroll expense tax rate to zero by or before 2018. The Controller will calculate the annual increase in the gross *receipts tax rate and the adjustment in the payroll expense tax rate by applying formulas specified in this legislation.*

SEC. 951. SHORT TITLE.

This Article shall be known as the "Gross Receipts Tax Ordinance" and the tax this Article imposes shall be known as the "Gross Receipts Tax."

SEC. 952. DEFINITIONS.

Except where the context otherwise requires, the terms used in this Article shall have the meanings given to them in Sections 6.2-1 et seq. of Article 6 and in Article 12-A.

SEC. 952.1. ADVANCE PAYMENT.

"Advance payment" means a nonrefundable payment for the purchase of property or services to be delivered or performed in the future.

SEC. 952.2. CASH DISCOUNT.

"Cash discount" means a deduction from the invoice price of goods or charge for services which is allowed if the bill is paid on or before a specified date, or paid in cash rather than by credit card.

SEC. 952.3. GROSS RECEIPTS.

(a) "Gross receipts" means the total amounts received or accrued by a person from whatever source derived, including, but not limited to, amounts derived from sales, services, dealings in property, interest, rent, royalties, dividends, licensing fees, other fees, commissions and distributed amounts from other business entities. Except as otherwise specifically provided in this Article, gross

receipts includes but is not limited to all amounts that constitute gross income for federal income tax purposes. Except as otherwise specifically provided in this Article, gross receipts includes all receipts, cash, credits and property of any kind or nature and including any amount for which credit is allowed by the seller to the purchaser, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, losses or any other expense whatsoever, except that cash discounts allowed or taken on sales shall not be included as gross receipts. Gross receipts, including advance payments, shall be included in a taxpayer's gross receipts at the time such receipts are recognized as gross income for federal income tax reporting purposes.

(b) "Gross receipts" with respect to any lease or rental shall include payment for any services that are part of the lease or rental, whether received in money or otherwise, that are paid to, on behalf of, or for the benefit of, the lessor, and all receipts, cash, credits, property of any kind or character and the fair market value of services so paid or rendered by the lessee.

(c) Treatment of Taxes. "Gross receipts" shall not include the amount of any federal, state, or local tax imposed on or with respect to retail sales whether imposed upon the retailer or upon the purchaser and regardless of whether the amount of tax is stated as a separate charge, or such part of the sales price of any property previously sold and returned by the purchaser to the seller which is refunded by the seller by way of cash or credit allowances given or taken as part payment on any property so accepted for resale. Gross receipts shall also not include any federal, state or local tax imposed upon a person for which that person is reimbursed by means of a separately stated charge to a purchaser, lessee, licensee or customer. Gross receipts shall not include any amount of third-party taxes that a taxpayer collects from or on behalf of the taxpayer's customers and remits to the appropriate governmental entity imposing such tax. Gross receipts shall not include any tax refunds received by a person from a governmental entity. Gross receipts shall include any federal, state or local tax not specifically excluded in this subsection.

(d) "Gross receipts" shall not include any amount received from or charged to any person that is a related entity to the taxpayer. Nor shall gross receipts include any grants received from governmental entities or any gifts. Gross receipts shall not include any investment receipts. "Investment receipts" includes interest, dividends, capital gains, other amounts received on account of financial instruments, and distributions from business entities, provided such items are directly derived exclusively from the investment of capital and not from the sale of property other than financial instruments, or from the provision of services, to any person. Gross receipts also shall not include any allocations of income or gain, or distributions (such as dividends, interest and other returns on capital) from an entity treated as a pass-through entity for federal income tax purposes, provided such allocations or distributions are derived exclusively from an investment in such entity, and not from any other property sold to, or services provided to, such entity. Any gross receipts of a pass-through entity which is subject to the gross receipts tax shall not also constitute gross receipts of any owner of that entity.

(e) Notwithstanding the provisions of subsection (a), "gross receipts" from the sale or exchange of stocks or other similar written instruments evidencing a right to participate in the assets of any business, or of bonds or other evidence of indebtedness, or of any other marketable securities (collectively referred to in this Article as "financial instruments"), or of any real property, shall not include the cost to acquire the financial instrument(s), or real property, sold or otherwise exchanged or converted. Nor shall "gross receipts" include the amount received by the original issuer of a financial instrument in exchange for such issuance. To the extent that any loss on the sale or exchange of financial instruments reduces the gross income of a person for federal income tax purposes in the year the loss is incurred, that loss shall reduce gross receipts from the sale or exchange of financial instruments, but in no event shall those receipts be less than zero, and in no event may any such loss be carried back or carried forward to reduce gross receipts in a tax year other than that in which the loss was incurred.

(f) No person shall be deemed to be engaging in business in the City if that person is an individual whose only gross receipts within the City are derived from investments of that individual's own funds in financial instruments. Gross receipts of an individual shall not include interest, dividends, capital gains and similar items or investment income earned from the investment of that individual's own capital.

(g) For purposes of this Article and Article 12, and notwithstanding Section 6.2-12 of Article 6, no person shall be deemed to be engaging in business within the City if its activities in the City consist solely of one or more of the following:

(1) contracting with, acting through, or otherwise using the services of, any investment advisor or affiliate thereof which is not a related entity;

(2) maintaining documents of formation, incorporation, or registration within the City;

(3) being an owner, member, or other participant in an entity engaging in business within the City which is a pass-through entity for federal income tax purposes; or

(4) having trustees or directors who meet or reside within the City.

SEC. 952.4. NAICS CODE.

"NAICS code" means the numerical classification for business activities established in the North American Industry Classification System used by federal governmental agencies to classify business establishments; references in this Article to particular numerical NAICS codes are intended to apply the definitions and descriptions adopted in that system as of the effective date of this Article.

SEC. 952.5. RELATED ENTITY.

A person is a "related entity" to a taxpayer if that person and the taxpayer are permitted or required by the California Franchise Tax Board under Section 25102 et seq. of the California Revenue and Taxation Code, or any successor, to have their income reflected on the same combined report. For *purposes of this Article, if two or more persons derive gross receipts solely from sources within California, and their business activities are such that, if conducted both within and outside California, a combined report would be required under the California Revenue and Taxation Code, or any successor, then those persons are related entities regardless of whether they file a combined report under the California Revenue and Taxation Code, or successor.*

SEC. 952.6. SALE AND SELL.

"Sale" and "sell" mean the making of any transfer of title, in any manner or by any means whatsoever, to property for a price, and to the serving, supplying or furnishing, for a price, of any property fabricated or made at the special order of consumers who do or who do not furnish directly or indirectly the specifications or materials therefor. A transaction whereby the possession of property is transferred but the seller retains the title as a security for the payment of the price shall likewise be deemed a sale.

SEC. 953. IMPOSITION OF GROSS RECEIPTS TAX.

(a) Except as otherwise provided under this Article, the City imposes and every person engaging in business within the City shall pay an annual gross receipts tax measured by the person's gross receipts from all taxable business activities attributable to the City. A person's liability for the gross receipts tax shall be calculated according to Sections 953.1 through 953.7.

(b) The gross receipts tax is a privilege tax imposed upon persons engaging in business within the City for the privilege of engaging in a business or occupation in the City. The gross receipts tax is imposed for general governmental purposes. Proceeds from the tax shall be deposited in the City's general fund and may be expended for any purposes of the City.

(c) The voters intend by adopting this measure to authorize application of the gross receipts tax in the broadest manner consistent with the provisions of this Article and the requirements of the

California Constitution, the United States Constitution, and any other applicable provision of federal and state law.

(d) The gross receipts tax imposed under this Article is in addition to the payroll expense tax imposed under Article 12-A. Persons not otherwise exempt from the gross receipts tax or payroll expense tax shall pay both taxes. Persons exempt from either the gross receipts tax or payroll expense tax, but not both, shall pay the tax from which they are not exempt.

(e) Except for subsection (d) of this Section, the tax on Administrative Office Business Activities imposed by Section 953.8 is intended as a complementary tax to the gross receipts tax, and shall be considered a gross receipts tax for purposes of this Article.

(f) For a five year period beginning in 2015, the Treasurer, Controller, and Chief Economist shall jointly prepare an annual report to the Mayor and Board of Supervisors on the implementation of the measure. The report shall include projections of collections of the gross receipts tax, compare these projections to those anticipated in preparation of the measure, and outline impacts of the measure on San Francisco's economy and business community. The report may recommend policy, administrative, or technical changes for the consideration of the Mayor and Board of Supervisors that further the goals established in the measure.

SEC. 953.1. GROSS RECEIPTS TAX APPLICABLE TO RETAIL TRADE; WHOLESALE TRADE; AND CERTAIN SERVICES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of retail trade, wholesale trade, and certain services. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.075% (e.g., $0.75 per $1,000) for gross receipts between $0 and $1,000,000

0.100% (e.g., $1 per $1,000) for gross receipts between $1,000,001 and $2,500,000

0.135% (e.g., $1.35 per $1,000) for gross receipts between $2,500,001 and $25,000,000

0.160% (e.g., $1.60 per $1,000) for gross receipts over $25,000,000

(b) Retail trade includes the activity of retailing any type of personal property, generally without significantly transforming its characteristics, and rendering services incidental to the retail sale of property; it includes business activity described in NAICS codes 44 and 45.

(c) Wholesale trade includes the activity of wholesaling property, generally without transformation, and rendering services incidental to the sale of property on a wholesale basis; it includes business activity described in NAICS code 42.

(d) Certain services includes the repair and maintenance services, personal and laundry services, and religious, grantmaking, civic, professional and similar organizations that are not otherwise exempt; it includes business activity described in NAICS codes 811, 812 and 813.

(e) The amount of gross receipts from retail trade activities and from wholesale trade activities subject to the gross receipts tax shall be one-half of the amount determined under Section 956.1 plus one-half of the amount determined under Section 956.2.

(f) The amount of gross receipts from certain services activities subject to the gross receipts tax shall be the total amount determined under Section 956.2.

SEC. 953.2. GROSS RECEIPTS TAX APPLICABLE TO MANUFACTURING; TRANSPORTATION AND WAREHOUSING; INFORMATION; BIOTECHNOLOGY; CLEAN TECHNOLOGY; AND FOOD SERVICES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of manufacturing, transportation and warehousing, information, biotechnology, clean technology, and food services. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.125% (e.g., $1.25 per $1,000) for gross receipts between $0 and $1,000,000

0.205% (e.g., $2.05 per $1,000) for gross receipts between $1,000,001 and $2,500,000

0.370% (e.g., $3.70 per $1,000) for gross receipts between $2,500,001 and $25,000,000

0.475% (e.g., $4.75 per $1,000) for gross receipts over $25,000,000

(b) Manufacturing includes the activity of transforming materials, substances or components into new products by mechanical, physical or chemical means; it includes the activity of assembling component parts of manufactured products; it includes business activity described in NAICS codes 31, 32 and 33.

(c) Transportation and warehousing includes the activities of providing transportation of passengers and/or goods, warehousing and storage for goods, scenic and sightseeing transportation, and support activities related to modes of transportation; it includes business activity described in NAICS codes 48 and 49.

(d) Information includes producing and distributing information or cultural products; providing the means to transmit or distribute those products; and processing data; it includes business activity described in NAICS code 51.

(e) For purposes of this Article, biotechnology includes the activity of biotechnology business as defined in Section 906.1 of Article 12-A, and clean technology includes the activity of clean technology business as defined in Section 906.2 of Article 12-A.

(f) Food services includes the activity of preparing meals, snacks and/or beverages to customer order for immediate on-premises or off-premises consumption; it includes drinking places; it includes business activity described in NAICS code 722.

(g) The amount of gross receipts from all business activities described in this Section subject to the gross receipts tax shall be one-half of the amount determined under Section 956.1 plus one-half of the amount determined under Section 956.2.

SEC. 953.3. GROSS RECEIPTS TAX APPLICABLE TO ACCOMMODATIONS; UTILITIES; AND ARTS, ENTERTAINMENT AND RECREATION.

(a) The base gross receipts tax rate provided by this Section is applicable to each of the following business activities: accommodations; utilities; and arts, entertainment and recreation. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.300% (e.g., $3 per $1,000) for gross receipts between $0 and $1,000,000

0.325% (e.g., $3.25 per $1,000) for gross receipts between $1,000,001 and $2,500,000

0.325% (e.g., $3.25 per $1,000) for gross receipts between $2,500,001 and $25,000,000

0.400% (e.g., $4 per $1,000) for gross receipts over $25,000,000

(b) Accommodations includes the activity of providing lodging or short-term accommodations for travelers, vacationers, or others; it includes business activity described in NAICS code 721.

(c) Utilities includes the activities of the generation, transmission and distribution of electric power, the distribution of natural gas, the provision and distribution of steam supply, the treatment and distribution of water supply, and the removal of sewage; it includes business activity described in NAICS code 22; it excludes establishments primarily engaged in waste management services.

(d) Arts, entertainment and recreation include the activity of operating facilities or providing services to meet cultural, entertainment or recreational interests of customers or patrons; it includes business activity described in NAICS code 71.

(e) The amount of gross receipts and from accommodations subject to the gross receipts tax shall be the total amount of gross receipts derived from or related to properties located or used within the City.

(f) The amount of gross receipts from utilities subject to the gross receipts tax shall be one-half of the amount determined under Section 956.1 plus one-half of the amount determined under Section 956.2.

(g) The amount of gross receipts from arts, entertainment and recreation subject to the gross receipts tax shall be the total amount determined under Section 956.2.

SEC. 953.4. GROSS RECEIPTS TAX APPLICABLE TO PRIVATE EDUCATION AND HEALTH SERVICES; ADMINISTRATIVE AND SUPPORT SERVICES; AND MISCELLANEOUS BUSINESS ACTIVITIES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of private education and health services, and administrative and support services. This rate also applies to all business activities not otherwise exempt and not elsewhere subjected to a gross receipts tax rate or an administrative office tax by this Article. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.525% (e.g., $5.25 per $1,000) for gross receipts between $0 and $1,000,000
0.550% (e.g., $5.50 per $1,000) for gross receipts between $1,000,001 and $2,500,000
0.600% (e.g., $6 per $1,000) for gross receipts between $2,500,001 and $25,000,000
0.650% (e.g., $6.50 per $1,000) for gross receipts over $25,000,000

(b) Private education and health services include the activity by persons other than governmental agencies of providing instruction and training in any subject, or of providing health care or social assistance for individuals; it includes business activity described in NAICS codes 61 and 62.

(c) Administrative and support services includes the activity of performing routine support activities for the day-to-day business activities of others; it includes business activity described in NAICS code 56.

(d) The amount of gross receipts from all business activities described in this Section subject to the gross receipts tax shall be determined under Section 956.2.

SEC. 953.5. GROSS RECEIPTS TAX APPLICABLE TO CONSTRUCTION.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activity of construction. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.300% (e.g., $3 per $1,000) for gross receipts between $0 and $1,000,000

0.350% (e.g., $3.50 per $1,000) for gross receipts between $1,000,001 and $2,500,000

0.400% (e.g., $4 per $1,000) for gross receipts between $2,500,001 and $25,000,000

0.450% (e.g., $4.50 per $1,000) for gross receipts over $25,000,000

(b) Construction includes the activity of preparing sites for, subdividing land for, or working on, buildings or engineering projects (including highways and utility systems); it includes business activity described in NAICS code 23.

(c) The amount of gross receipts from construction subject to the gross receipts tax shall be one-half of the amount determined under Section 956.1 plus one-half of the amount determined under Section 956.2. The amount of gross receipts so determined shall then be reduced by any amounts which were included in a person's gross receipts within the City pursuant to Section 956.1, and which that person paid to a subcontractor possessing a valid business registration certificate with the City during the tax year. There shall be no reduction for any other costs, including without limitation costs for materials, fees, equipment, or other services. In order to claim such a reduction, a person must maintain an itemized schedule of payments to subcontractors and information sufficient to enable the Tax Collector to verify that the subcontractor possessed a valid business registration certificate with the City.

SEC. 953.6. GROSS RECEIPTS TAX APPLICABLE TO FINANCIAL SERVICES; INSURANCE; AND PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of financial services; insurance; and professional, scientific and technical services. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.400% (e.g., $4 per $1,000) for gross receipts between $0 and $1,000,000

0.460% (e.g., $4.60 per $1,000) for gross receipts between $1,000,001 and $2,500,000

0.510% (e.g., $5.10 per $1,000) for gross receipts between $2,500,001 and $25,000,000

0.560% (e.g., $5.60 per $1,000) for gross receipts over $25,000,000

(b) Financial services includes the activities of engaging in or facilitating financial transactions; it includes business activities described in NAICS codes 521, 522 and 523.

(c) Insurance includes the activities of facilitating or supporting the pooling of risk by underwriting insurance and annuities; the activities covered by this Section include those of persons not exempt from the gross receipts tax based on business activities described in NAICS code 524.

(d) Professional, scientific and technical services includes the activity of providing for others, specialized professional, scientific, or technical services that require a high degree of expertise and training; it includes business activity described in NAICS code 54.

(e) The amount of gross receipts from the activities described in this Section subject to the gross receipts tax shall be the amount determined under Section 956.2.

SEC. 953.7. GROSS RECEIPTS TAX APPLICABLE TO REAL ESTATE AND RENTAL AND LEASING SERVICES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of real estate and rental and leasing services. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.285% (e.g., $2.85 per $1,000) for gross receipts between $0 and $1,000,000

0.285% (e.g., $2.85 per $1,000) for gross receipts between $1,000,001 and $5,000,000

0.300% (e.g., $3.00 per $1,000) for gross receipts between $5,000,001 and $25,000,000

0.300% (e.g., $3.00 per $1,000) for gross receipts over $25,000,000

(b) Real estate and rental and leasing services includes the activities of renting, leasing, or otherwise allowing the use of tangible or intangible assets, and the activity of providing related services; it includes business activity described in NAICS code 53.

(c) The amount of gross receipts from real estate and rental and leasing services subject to the gross receipts tax shall be the total amount of gross receipts derived from or related to properties located or used within the City. Gross receipts shall not include amounts derived from or related to properties located or used outside the City.

SEC. 953.8. TAX ON ADMINISTRATIVE OFFICE BUSINESS ACTIVITIES.

(a) Except as provided in this Section, notwithstanding any other provision of this Article and in lieu of the other taxes provided by this Article and Article 12-A for any person or combined group, commencing on the Operative Date of the Gross Receipts' Tax Ordinance, every person engaging in business within the City as an administrative office, as defined below, shall pay an annual administrative office tax measured by its total payroll expense that is attributable to the City. If a person is a member of a combined group, then its tax shall be measured by the total payroll expense of the combined group attributable to the City. Such combined group shall pay only the administrative office tax. The administrative office tax rate for each tax year is 1.400 percent.

(b) "Engaging in business within the City as an administrative office" means that:

(1) a person is engaging in business within the City during the tax year and over 50 percent of the total combined payroll expense within the City of that person and its related entities

for the preceding tax year was associated with providing administrative or management services exclusively to that person or related entities;

(2) the total combined number of employees of that person and its related entities within the United States as of the last day of the preceding tax year exceeded 1,000; and

(3) the total combined gross receipts of that person and its related entities reported on United States federal income tax return(s) for the preceding tax year exceeded $1,000,000,000.

(c) For purposes of subsection (b) only, a related entity shall include any person who could be included in the same combined report under California Revenue and Taxation Code Section 25102 but for the existence of a water's edge election under Section 25110 of that Code.

(d) "Administrative or management services" comprises internal support services provided on an enterprise-wide basis, such as executive office oversight, company business strategy, recordkeeping, risk management, personnel administration, legal, accounting, market research and analysis, and training services; it does not include sales personnel or personnel actively engaged in marketing, research and development, direct customer service, and product support services. The Tax Collector is authorized to classify in its reasonable discretion which personnel employed by any person provide administrative or management services.

(e) A person provides administrative office services exclusively for itself or a related entity only if the final recipient of those services is at a location where that person or a related entity conducts business activities.

(f) "Payroll expense" for purposes of this Section shall have the meaning given to that term by Sections 902.1 et seq. of Article 12-A, except that Section 902.1(b) of Article 12-A shall not apply for purposes of determining whether a person is engaging in business within the City as an administrative office. Section 902.1(b) shall apply for all other purposes under this Section. The portion of the payroll expense of a person or combined group that is attributable to the City shall be determined as set forth in Section 904 of Article 12-A.

(g) In addition to the administrative office tax provided in subsection (a), any person engaging in business within the City as an administrative office exclusively for itself or a related entity shall apply for a registration certificate and pay a registration fee, as provided in Article 12.

(h) Except as provided in this Section, the provisions of Article 6 and Article 12 apply to the administrative office tax. In particular, and without limiting the applicability of the balance of Article 6, the provisions of Sections 6.9-1 through 6.9-3, inclusive, of Article 6, regarding due dates, returns and prepayments, apply to the administrative office tax.

SEC. 953.9. PERSONS OR COMBINED GROUPS ENGAGED IN MULTIPLE BUSINESS ACTIVITIES.

If a person, or a combined group as described in Section 956.3, engages in business activities described in more than one of Sections 953.1 through 953.7, inclusive, of this Article, the rate or rates of gross receipts tax to be applied to that person or group, and the method for determining gross receipts in the City, shall be determined as follows:

(a) If more than 80 percent of its gross receipts, determined in accordance with Section 956, are derived from business activities described in only one of Sections 953.1 through 953.7, inclusive, then the rules of that applicable Section apply to all of its gross receipts derived from all business activities.

(b) If its business activities in the City are described in more than one of Sections 953.1 through 953.7, inclusive, and subsection (a) of this Section does not apply, then such person or combined group shall separately compute the gross receipts tax for each set of business activities as provided in the Section applicable to that particular set of business activities, modified as follows:

(1) if the set of business activities described in any of Sections 953.1 through 953.7, inclusive, generates less than 20 percent of the total gross receipts of the person or group, then the receipts and payroll of any such set of activities may be combined for all purposes related to computing

the gross receipts tax with whichever set of that person's or group's activities are taxed at the highest rate;

(2) the small business exemption provided in Section 954.1 shall apply only if the sum of receipts within the City from all sets of business activities does not exceed $1,000,000 in total;

(3) the progressive rates described in Sections 953.1 through 953.7 apply on an aggregate basis for businesses with multiple sets of activities;

(4) the applicable rate for each set of business activities shall be determined in numbered order of the Sections describing each set of business activities; i.e., the gross receipts and tax for business activities described in Section 953.1 should be determined first, Section 953.2 second, and so on;

(5) the rate(s) applicable to any set of activities after the first shall be determined by adding together the gross receipts determined for all previous sets of activities and applying the rate scale commencing with the total gross receipts so determined; and

(6) the gross receipts tax liability for the person or combined group shall be the sum of the liabilities for each set of business activities.

SEC. 954. EXEMPTIONS AND EXCLUSIONS.

(a) Except as provided in subsection (b) of this Section, an organization that is exempt from income taxation by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, as amended, as qualified by Sections 502, 503, 504 and 508 of the Internal Revenue Code of 1986, as amended, shall be exempt from taxation under this Article, only so long as those exemptions continue to exist under state or federal law.

(b) An organization otherwise exempt from income taxation under subsection (a) that is directly engaged within the City in an unrelated trade or business within the meaning of Section 513(a)

of the Internal Revenue Code of 1986, as amended, and has, from its own operations, unrelated business taxable income within the meaning of Section 512(a)(1) of the Internal Revenue Code of 1986, as amended, shall pay the gross receipts tax on its gross receipts from its unrelated trade or business activities that are attributable to the City. If it is impracticable, unreasonable or improper to allocate such organization's gross receipts as aforesaid either because of the particular nature of the organization's unrelated trade or business or for any other reason, then the amount of gross receipts reasonably attributable to the organization's unrelated trade or business in the City shall be determined on the basis of all of the relevant facts and circumstances of the particular case, in accordance with any rulings or regulations issued or promulgated by the Tax Collector for this purpose.

(c) Gross receipts as defined in Section 952.3 shall not include receipts from business activities if, and only so long as and to the extent that, the City is prohibited from taxing such receipts under the Constitution or laws of the United States or under the Constitution or laws of the State of California.

(d) Rent Controlled Buildings Exclusion. A person subject to the tax may exclude from gross receipts in any tax year 50 percent of the total amount received from the rental of real property to tenants in occupancy at any location in the City, which is subject to limits on rent increases pursuant to the Residential Rent Stabilization and Arbitration Ordinance, San Francisco Administrative Code, Chapter 37, Section 37.1 et seq.

(e) Exclusion of Certain Sales of Real Property. Gross receipts as defined in Section 952.3 shall not include receipts from any sales of real property with respect to which the Real Property Transfer Tax imposed by Article 12-C has been paid to the City.

(f) For only so long as and to the extent that the City is prohibited from imposing the tax under this Article, the following persons shall be exempt from the gross receipts tax:

(1) Banks and financial corporations exempt from local taxation under Article XIII, Section 27 of the California Constitution and Revenue and Taxation Code Section 23182;

(2) Insurance companies exempt from local taxation under Article XIII, Section 28 of the California Constitution;

(3) Persons engaging in business as a for-hire motor carrier of property under Revenue and Taxation Code Section 7233;

(4) Persons engaging in intercity transportation as a household goods carrier under Public Utilities Code Section 5327;

(5) Charter-party carriers operating limousines that are neither domiciled nor maintain a business office within the City under Public Utilities Code Section 5371.4; and

(6) Any person upon whom the City is prohibited under the Constitution or laws of the State of California from imposing the gross receipts tax.

(g) To the extent that any taxpayer has paid a substantially similar tax to any other taxing jurisdiction on any gross receipts attributed to the City and taxed under this Article, the tax paid to such taxing jurisdiction shall be credited against the tax due under this Article; in no event shall this credit reduce the taxpayer's liability to less than zero.

SEC. 954.1. SMALL BUSINESS EXEMPTION.

(a) Notwithstanding any other provision of this Article, a "small business enterprise," as hereinafter defined for purposes of this Article 12-A-1, shall be exempt from payment of the gross receipts tax, nevertheless, a small business enterprise shall pay the annual registration fee pursuant to Section 855 of Article 12.

(b) For purposes of this Article 12-A-1, the term "small business enterprise" shall mean and include any person or combined group, except for a lessor of residential real estate:

(1) Whose gross receipts within the City for the preceding tax year did not exceed $1,000,000, adjusted annually in accordance with the increase in the Consumer Price Index: All Urban Consumers for the San Francisco/Oakland/San Jose Area for All Items as reported by the

United States Bureau of Labor Statistics, or any successor to that index, as of December 31st of the preceding year, beginning with December 31, 2014; and

(2) Who filed a tax return by the last day of February for the preceding tax year, if that person or group had gross receipts in the City of over $500,000. If a person is required to file a tax return under this Section, and fails to file a return by that date, the taxpayer shall be subject to a penalty as specified in subsection (c).

(c) In lieu of the penalty specified in Section 6.17-3 of Article 6 for failing to file a return, any person who otherwise qualifies for the small business exemption set forth in this Section, and who had gross receipts in the City of over $500,000, who fails to file a return by the last date of February shall pay a penalty as follows:

(1) The penalty for the first month, or fraction thereof, that the return is delinquent, shall be 5 percent of the amount of the tax liability, calculated without regard to the small business exemption in this Section. The penalty shall increase by an additional 5 percent each month, or fraction thereof, that the return is delinquent, up to a maximum of 20 percent of the tax liability. Any penalties remaining unpaid for a period of 90 days or more shall be subject to an additional penalty of 20 percent of the amount of the tax liability excluding penalties and interest.

(2) Penalties are due and payable when assessed. Unpaid penalties, interest and fees shall accrue interest at the rate of 1 percent per month, or fraction thereof, from the date that they are assessed through the date of payment. The total amount of the penalties, interest and fees shall not exceed the amount of the person's gross receipts tax liability for the period but for the small business exemption.

(d) The Tax Collector may, at his or her discretion, reduce the penalty set forth in subsection (c) to not less than $100 upon a showing that the late filing of the return was due to reasonable cause and not due to willful neglect.

(e) For purposes of this Article 12-A-1, and notwithstanding any other provision of this Section, a lessor of residential real estate is a "small business enterprise" if and only if the lessor leases fewer than 4 units in any individual building. "Residential real estate" means real property where the primary use of or right to use the property is for the purpose of dwelling, sleeping or lodging other than as part of the business activity of accommodations. For purposes of this Article 12-A-1, Article 12-A, and Article 12, a lessor of residential real estate is treated as a separate person with respect to each individual building in which it leases residential real estate units, notwithstanding Section 6.2-15 of Article 6, or Section 956.3 of this Article. The provisions of this subsection apply only to leasing residential real estate units within a building, and not to any business activity related to other space, either within the same building or other buildings, which is not residential real estate. The Tax Collector is authorized to determine what constitutes a separate building and the number of units in a building.

SEC. 955. PERSONS DERIVING NO GROSS RECEIPTS FROM BUSINESS ACTIVITIES OUTSIDE THE CITY.

Notwithstanding any other provision of this Article, any person subject to the gross receipts tax who derives non-exempt gross receipts from business activities within the City and derives no gross receipts from business activities outside the City is subject to tax on all non-exempt gross receipts.

SEC. 956. ALLOCATION AND APPORTIONMENT FOR ALL PERSONS DERIVING GROSS RECEIPTS FROM BUSINESS ACTIVITIES BOTH WITHIN AND OUTSIDE THE CITY.

All persons deriving gross receipts from business activities both within and outside the City shall allocate and/or apportion their gross receipts to the City, using the rules set forth in Section 956.1 and 956.2, in the manner directed in Sections 953.1 through 953.7, inclusive, and in Section 953.9 of this Article.

SEC. 956.1. ALLOCATION OF RECEIPTS FROM REAL, PERSONAL, TANGIBLE AND INTANGIBLE PROPERTY.

(a) For all persons required to determine an amount of gross receipts pursuant to this Section, that amount shall be all non-exempt gross receipts within the City as determined hereunder.

(b) Gross receipts from the sale, lease, rental or licensing of real property are in the City if the real property is located in the City.

(c) Gross receipts from sales of tangible personal property are in the City if the property is delivered or shipped to a purchaser within the City regardless of the f.o.b. point or other conditions of the sale.

(d) Gross receipts from the rental, lease or licensing of tangible personal property are in the City if the property is located in the City.

(e) Gross receipts from services are in the City to the extent the purchaser of the services received the benefit of the services in the City.

(f) Gross receipts from intangible property are in the City to the extent the property is used in the City. In the case of financial instruments, sales are in the City if the customer is located in the City.

SEC. 956.2. APPORTIONMENT OF RECEIPTS BASED ON PAYROLL.

(a) For all persons required to determine an amount of gross receipts pursuant to this Section, that amount shall be all non-exempt combined gross receipts of the person multiplied by a fraction, the numerator of which is payroll in the City and the denominator of which is combined payroll.

(b) Combined gross receipts are the total worldwide gross receipts of the person and all related entities to the person, unless the election provided for in California Revenue and Taxation Code Section 25110 is in effect for the person, in which case combined gross receipts shall be computed consistently with the water's edge election, as set forth therein.

(c) Combined payroll is the total worldwide compensation paid by the person and all related entities to the person, unless the election provided for in California Revenue and Taxation Code Section 25110 is in effect for the person, in which case combined payroll shall be computed consistently with the water's edge election, as set forth therein. A person who has no combined payroll in a tax year shall have no gross receipts under this Section for that tax year.

(d) Payroll in the City is the total amount paid for compensation in the City by the person and by all related entities to the person.

(e) Compensation paid in the City shall be determined as set forth in Section 904 of Article 12-A.

(f) "Compensation" means wages, salaries, commissions and any other form of remuneration paid to employees for services. In the case of any person who has no employees, compensation shall also include all taxable income for federal income tax purposes of the owners or proprietors of such person who are individuals. Those owners or proprietors shall be treated as individuals to whom compensation is paid for purposes of subsection (e).

(g) The apportionment provided by this Section shall not include in either the numerator or the denominator any payroll of persons exempt from tax under subsections (a), (b), or (f) of Section 954.

SEC. 956.3. COMBINED RETURNS.

A person engaging in business within the City must file gross receipts tax returns as provided in Article 6. Those returns must be filed on a combined basis with all of that person's related entities. That person, and all of that person's related entities, constitute a combined group. Every combined group must file a single return; the combined group may choose a single person to file the return on its behalf. Each person within the combined group engaging in business in the City must provide a power of attorney to the person filing the return, authorizing the person filing the return to file said return and to act on behalf of each person with respect to payments, refunds, audits, resolutions, and any other *items related to the tax liability reflected in the return. The power of attorney shall be substantially in a form to be promulgated by the Tax Collector. Each return filed by a combined group constitutes a combined return under this Article and Article 6. The person filing any combined return shall pay the tax liability reflected on the return and any liability determined on audit at the time and in the manner set forth for returns and liabilities in Article 6.*

SEC. 957. TAX COLLECTOR AUTHORIZED TO DETERMINE GROSS RECEIPTS.

The Tax Collector may, in his or her reasonable discretion, independently establish a person's gross receipts within the City and establish or reallocate gross receipts among related entities so as to fairly reflect the gross receipts within the City of all persons. This authority extends to determining whether any amount excluded from gross receipts by virtue of Section 952.3(f) is in whole or in part compensation or payment for services and thus included in gross receipts.

SEC. 958. ADMINISTRATION OF THE GROSS RECEIPTS TAX ORDINANCE.

Except as otherwise provided under this Article, the Gross Receipts Tax Ordinance shall be administered pursuant to Article 6 of the San Francisco Business and Tax Regulations Code.

SEC. 959. RATE OF GROSS RECEIPTS TAX: CONTROLLER COMPUTATION.

(a) Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the rate of gross receipts tax for Sections 953.1 through 953.7 in accordance with subsection (b) of this Section. The Controller shall certify and publish such rates on or before September 1 of each year.

(b) Gross Receipts Tax Computation. The Controller shall compute the gross receipts tax rates for each tax year by multiplying each base rate in Sections 953.1 through 953.7 by the "Gross Receipts Tax Rate Adjustment Factor," which shall be determined according to the following table and formulas, but no gross receipts tax rate shall exceed the base rates provided by Sections 953.1 through 953.7.

Gross Receipts Tax Rate Adjustment Factor Computation Table

Tax Year	*Gross Receipts Tax Rate Adjustment Factor (GADJyear)*
2014	$GADJ_{14} = 10\%$
2015	$GADJ_{15} = 25\% + EXP_{15}$
2016	$GADJ_{16} = 50\% + EXP_{16}$
2017	$GADJ_{17} = 75\% + EXP_{17}$
2018	$GADJ_{18} = 100\% + EXP_{18}$

Where: "EXPyear" is the "Excess Payroll Expense Tax Revenue Factor," a percentage that reduces the gross receipts tax rate adjustment factor for a year in which the payroll expense tax rate determined under Section 903.1 of Article 12-A becomes zero, and which adjusts for excess payroll expense tax revenue collected for that tax year. The Controller shall compute EXPyear according to the following table and formulas:

(1) In any year in which PAYRATEyear is greater than zero, where PAYRATEyear is determined under Section 903.1 of Article 12-A, EXPyear is zero.

(2) In the first year in which PAYRATEyear is zero, where PAYRATEyear is determined under Section 903.1 of Article 12-A, EXPyear shall be computed according to the following table and formulas. In subsequent years, GADJyear shall be the same value it was in the prior year:

Excess Payroll Expense Tax Revenue Factor Computation Table

Tax Year	*Excess Payroll Expense Tax Revenue Factor (EXPyear)*
2015	$EXP_{15} = [(1.125\% + PADJ_{15}) \times (PAYTAX_{14}/PAYRATE_{14})]/(GRTAX_{14}/10\%)$
2016	$EXP_{16} = [(0.750\% + PADJ_{16}) \times (PAYTAX_{15}/PAYRATE_{15})]/GRTAX_{15}/25\%)$
2017	$EXP_{17} = [(0.375\% + PADJ_{17}) \times (PAYTAX_{16}/PAYRATE_{16})]/GRTAX_{16}/50\%)$

2018	$EXP_{18} = [PADJ_{18} \times (PAYTAX_{17}/PAYRATE_{17})]/(GRTAX_{17}/75\%)$

Where: PADJyear, PAYTAXyear, and GRTAXyear are determined under Section 903.1 of Article 12-A.

(c) Notwithstanding any other provision of this Article, in any year in which the payroll expense tax rate determined under Section 903.1 of Article 12-A is zero, the gross receipts tax rates for that year and all future years shall be as the Controller computed for that year, except that for tax year 2021 and all future years, the rate under Section 953.7(a), for gross receipts over $25,000,000 only, shall be the sum of the rate established under this Section 959(c) and 0.025%. In no event shall the rate established under Section 953.7(a) by the preceding sentence, for gross receipts over $25,000,000, exceed 0.325%. The Controller shall certify and publish such rates by September 1 of that year.

(d) Notwithstanding any other provision of this Article, the gross receipts tax rates for 2019 and all future years shall be the rates in effect in tax year 2018, except that for tax year 2021 and all future years, the rate under Section 953.7(a), for gross receipts over $25,000,000 only, shall be the sum of the rate established under this Section 959(c) and 0.025%. In no event shall the rate established under Section 953.7(a) by the preceding sentence, for gross receipts over $25,000,000, exceed 0.325%. The Controller shall certify and publish such rates on or before September 1, 2019, at which time the Controller's duty to compute, certify and publish the payroll expense tax rate shall cease.

SEC. 960. THE "PAYROLL EXPENSE TAX EXCLUSION" CREDIT.

(a) "Payroll Expense Tax Exclusion Credit" means the dollar amount by which a person would have been able to reduce its payroll expense tax liability pursuant to the Enterprise Zone Tax Credit under Section 906A of Article 12-A, the Biotechnology Exclusion under Section 906.1 of Article 12-A, and/or the Clean Technology Business Exclusion under Section 906.2 of Article 12-A, as if the payroll expense tax were in full force and effect and calculated at a rate of 1½ percent.

(b) "Combined Business Tax Liability" means the sum of the gross receipts tax and the payroll expense tax a person owes for a tax year.

(c) For so long as a particular payroll expense tax exclusion listed under subsection (a) is in effect, without regard to whether the payroll expense tax is otherwise in effect, a person may credit against its combined business tax liability for a tax year the amount of a particular payroll expense tax exclusion credit to which it would be entitled under the payroll expense tax; however, in no event shall such credit reduce a person's combined business tax liability to less than zero. Any person who claims the credit under this Section must meet all of the eligibility requirements of the payroll expense tax exclusion(s) it claims. The credit may be claimed against the tax liability only of the person who qualified for the payroll expense tax exclusion and not against any liability of related entities or other members of that person's combined group.

SEC. 961. CENTRAL MARKET STREET LIMIT.

(a) The "Central Market Street Limit" means a person's payroll expense tax liability for a tax year as determined under the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion under Section 906.3 of Article 12-A, calculated at a rate of 1½ percent.

(b) "Combined Business Tax Liability" means the sum of the gross receipts tax and the payroll expense tax a person owes that is attributable to location(s) in the Central Market Street and Tenderloin Area as defined in Section 906.3(b) of Article 12-A for a tax year under the rates established for that year.

(c) For so long as the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion is in effect, without regard to whether the payroll expense tax is otherwise in effect, a person shall owe the lesser of its combined business tax liability or the amount of its Central Market Street limit. Any person who claims the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion must meet all of the eligibility requirements of that exclusion.

SEC. 962. AMENDMENT OF ORDINANCE.

The Board of Supervisors may amend or repeal Article 12-A-1 of the Business and Tax Regulations Code without a vote of the people except as limited by Article XIIIC of the California Constitution.

SEC. 963. EFFECT OF STATE AND FEDERAL AUTHORIZATION.

To the extent that the City's authorization to impose or collect any tax imposed under this Article 12-A-1 is expanded or limited as a result of changes in state or federal law, no amendment or modification of this Article 12-A-1 shall be required to conform the taxes to those changes, and the taxes are hereby imposed and the Tax Collector shall collect them to the full extent of the City's authorization up to the full amount and rate of the taxes imposed under this Article 12-A-1.

SEC. 964. SEVERABILITY.

Except as provided in Section 965(b) below, if any section, sentence, clause, phrase, or portion of Article 12-A-1 is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining sections, sentences, clauses, phrases, or portions of this Article shall nonetheless remain in full force and effect. The people of the City and County of San Francisco hereby declare that, except as provided in Section 965(b), they would have adopted each section, sentence, clause, phrase, or portion of this Article, irrespective of the fact that any one or more sections, sentences, clauses, phrases, or portions of this Article be declared invalid or unenforceable and, to that end, the provisions of this Article are severable.

SEC. 965. SAVINGS CLAUSE.

(a) No section, clause, part or provision of this Article shall be construed as requiring the payment of any tax that would be in violation of the Constitution or laws of the United States or of the Constitution or laws of the State of California. Except as provided in subsection (b) of this Section, if any section, clause, part or provision of this Article, or the application thereof to any person or circumstance, is held invalid or unconstitutional, the remainder of this Article, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Article are severable.

(b) If the imposition of the gross receipts tax in Section 953, or any portion of the rate computation under Section 959, of this Article is held invalid or unconstitutional in a final court determination, the remainder of this Article shall be null and void and of no force and effect. For any tax year for which this Article is invalidated pursuant to this Section, the payroll expense tax provided by Article 12-A may be assessed against any person engaging in business in the City during that tax year as if this Ordinance had not been passed, except that such assessment may be made and collected notwithstanding any statute of limitations provided by Article 6.

Section 4. Operative Date.

Except for Section 5, this Ordinance shall become operative the first day of the first calendar quarter commencing after December 31, 2013. Section 5 shall become operative on the effective date of this Ordinance.

Section 5. The San Francisco Business and Tax Regulations Code is hereby amended by amending Sections 855 and 856 and adding Section 863 to Article 12, to read as follows:

SEC. 855. REGISTRATION CERTIFICATE – FEE.

(a) *Fee for registration years ending on or after June 30, 2004, but ending on or before June 30, 2014.* Except as otherwise provided in this Section and Section 856 of this Article, the annual fee for obtaining a registration certificate *for registration years ending on or after June 30, 2004, but ending on or before June 30, 2014*, payable in advance, shall be as follows:

~~Computed~~ Payroll Expense Tax for the Immediately Preceding Tax Year	Annual Registration Fee
Less than $1	$25
$1 to $10,000	$150
$10,000.01 to $50,000	$250
More than $50,000	$500

(b) In the event that an applicant for a registration certificate, *for registration years ending on or after June 30, 2004, but ending on or before June 30, 2014,* has not filed a tax return for the immediately preceding tax year as required by Section 6.9-2 of Article 6, the Tax Collector shall determine the amount of the registration fee required based on the applicant's estimated tax liability under Article 12-A (Payroll Expense Tax Ordinance) for the period covered by the registration certificate.

(c) Fee for Registration Year Commencing July 1, 2014 and Ending June 30, 2015. Except as otherwise provided in this Section and Section 856 of this Article, the annual fee for obtaining a registration certificate, for the registration year commencing July 1, 2014 and ending June 30, 2015, payable in advance, shall be as follows:

Payroll Expense for the Immediately Preceding Tax Year	*Annual Registration Fee*
$0 to $66.66	*$75*

$66.67 to $75,000	*$150*
$75,001 to $100,000	*$250*
$100,001 to $150,000	*$500*
$150,001 to $200,000	*$700*
$200,001 to $250,000	*$800*
$250,001 to $1,000,000	*$300*
$1,000,001 to $2,500,000	*$800*
$2,500,001 to $5,000,000	*$5,000*
$5,000,001 to $10,000,000	*$15,000*
$10,000,001 to $25,000,000	*$25,000*
$25,000,001 to $40,000,000	*$30,000*
$40,000,001 or more	*$35,000*

(d) In the event that an applicant for a registration certificate, for registration year commencing July 1, 2014 and ending June 30, 2015, has not filed a tax return for the immediately preceding tax year as required by Section 6.9-2 of Article 6, the Tax Collector shall determine the amount of the registration fee required based on the applicant's payroll expense under Article 12-A (Payroll Expense Tax Ordinance) for the period covered by the registration certificate. A combined group as described in Section 956.3 of Article 12-A-1 shall apply for a certificate and calculate its fee on a combined basis.

(e) Fee for Registration Years Ending After June 30, 2015.

(1) General Rule. Except as otherwise provided in this Section and Section 856 of this Article, the annual fee for obtaining a registration certificate, for the registration years ending after June 30, 2015, payable in advance, shall be as follows:

Gross Receipts for the Immediately Preceding Tax Year	*Annual Registration Fee*
$0 to $100,000	*$90*
$100,001 to $250,000	*$150*
$250,001 to $500,000	*$250*
$500,001 to $750,000	*$500*
$750,001 to $1,000,000	*$700*
$1,000,001 to $2,500,000	*$300*
$2,500,001 to $7,500,000	*$500*
$7,500,001 to $15,000,000	*$1,500*
$15,000,001 to $25,000,000	*$5,000*
$25,000,001 to $50,000,000	*$12,500*
$50,000,001 to $100,000,000	*$22,500*
$100,000,001 to $200,000,000	*$30,000*
$200,000,001 and over	*$35,000*

(2) Fee for Retail Trade, Wholesale Trade and Certain Services. Except as otherwise provided in this Section and Section 856 of this Article, for registration years ending after June 30, 2015, the annual fee for obtaining a registration certificate, payable in advance, for a business that was required to report all of its gross receipts pursuant to Article 12-A-1, Section 953.1 for the preceding tax year, shall be as follows:

Gross Receipts for the Immediately Preceding Tax Year	*Annual Registration Fee*
$0 to $100,000	*$75*

$100,001 to $250,000	*$125*
$250,001 to $500,000	*$200*
$500,001 to $750,000	*$400*
$750,001 to $1,000,000	*$600*
$1,000,001 to $2,500,000	*$200*
$2,500,001 to $7,500,000	*$400*
$7,500,001 to $15,000,000	*$1,125*
$15,000,001 to $25,000,000	*$3,750*
$25,000,001 to $50,000,000	*$7,500*
$50,000,001 to $100,000,000	*$15,000*
$100,000,001 to $200,000,000	*$20,000*
$200,000,001 and over	*$30,000*

(f) Except as provided in subsection (g) (Administrative Office Business Activities), in the event that an applicant for a registration certificate, for a registration year ending after June 30, 2015, has not filed a tax return for the immediately preceding tax year as required by Section 6.9-2 of Article 6, the Tax Collector shall determine the amount of the registration fee required based on the applicant's estimated gross receipts under Article 12-A-1 (Gross Receipts Tax Ordinance) for the period covered by the registration certificate.

~~*(c) The fee for obtaining a registration certificate for any calendar year ending on or before December 31, 2001 shall be determined in accordance with the registration fee provisions of the Business and Tax Regulations Code, or its predecessor, governing such year.*~~

~~*(d)*~~*(g) Fee for Administrative Office Business Activities. Except as otherwise provided in this Section and Section 856 of this Article, the annual fee for obtaining a registration certificate for Administrative Office Business Activities under Section 953.8 of Article 12A-1, for the registration years ending after June 30, 2015, payable in advance, shall be as follows:*

Payroll Expense for Immediately Preceding Tax Year	*Annual Registration Fee*
$0 to $2,500,000	*$15,000*
$2,500,001 to $25,000,000	*$25,000*
$25,000,000 or more	*$35,000*

(h) In the event that an applicant for a registration certificate for Administrative Office Business Activities under Section 953.8 of Article 12A-1, for a registration year ending after June 30, 2015, has not filed a tax return for the immediately preceding tax year as required by Section 6.9-2 of Article 6, the Tax Collector shall determine the amount of the registration fee required based on the applicant's estimated payroll expense under Article 12-A-1 for the period covered by the registration certificate.

(i) The amount of annual registration fee under subsections (c), (e), and (g) of this Article 12, Section 855, for all registration years ending after June 30, 2015, shall be adjusted annually in accordance with the increase in the Consumer Price Index: All Urban Consumers for the San Francisco/Oakland/San Jose Area for All Items as reported by the United States Bureau of Labor Statistics, or any successor to that index, as of December 31st of the preceding year, beginning July 1, 2016.

(j) Any organization having a formally recognized exemption from income taxation pursuant to Section 501(c), 501(d) or 401(a) of the Internal Revenue Code of 1986, as amended, as qualified by Sections 502, 503, 504 and 508 of the Internal Revenue Code of 1986, as amended, shall not be required to pay a registration fee under this Article unless the organization is also engaged within the City in an unrelated trade or business within the meaning of Section 906 of Article 12-A *or Section 954 of Article 12-A-1*. ~~(e)~~ A person shall be

exempt from paying the registration fee required by this Section if and to the extent that*, and only so long as,* federal or state law prohibits the imposition of the registration fee upon such person.

(k) The business registration fee is a tax imposed for general governmental purposes and may not be extended or increased without a vote of the people, as provided in Article XIIC of the California Constitution. This tax may be collected in any manner legally permitted to the City.

SEC. 856. REGISTRATION CERTIFICATE – APPLICATION AND ISSUANCE.

(a) Each person engaging in business within the City shall apply to the Tax Collector *for a registration certificate*, ~~on a~~*using the* form prescribed by the Tax Collector~~, *for a registration certificate*~~. The application shall be accompanied by the person's registration fee as determined under this Article. *A combined group as described in Section 956.3 of Article 12-A-1 shall apply for a certificate and calculate its fee on a combined basis.*~~*To ease administrative burdens on taxpayers (by consolidating the deadlines to file annual tax returns and apply for renewal of registration certificates), the term of registration certificates shall be changed from the calendar year basis to a fiscal year basis. The purpose of subsections (b) through (c) of this Section is to facilitate such change and shall be interpreted in accordance with this purpose.*~~

~~*(b) A registration certificate issued for a calendar year commencing on or before January 1, 2002, shall be valid until December 31 of such calendar year. All persons engaging in business within the City during any such calendar year shall, before the last business day in October, apply to the Tax Collector for a registration certificate for the succeeding calendar year. The application for renewal of the annual registration certificate shall become delinquent if the registration fee is not paid on or before the last business day in October.*~~

~~*(c) To accomplish the change from the calendar year registration period to a fiscal year registration period, there shall be a Registration Transition Period commencing January 1, 2003, and ending June 30, 2003. A registration certificate issued for the Registration Transition Period shall be*~~

~~*valid through June 30, 2003. Except as provided in subsection (f) of this Section, any person engaging in business within the City during the calendar year preceding the Registration Transition Period shall, before October 31, 2002, apply to the Tax Collector for a registration certificate covering the Registration Transition Period. The application for renewal of the registration certificate covering the Registration Transition Period shall become delinquent if the registration fee is not paid on or before October 31, 2002. Except as provided in subsection (f) of this Section, the fee for a registration certificate covering the Registration Transition Period shall be 50 percent of the amount of the annual registration fee otherwise applicable under Section 855 of this Article.*~~

~~*(d) Any person engaging in business within the City during the Registration Transition Period shall, between January 1 and February 28, 2003, apply to the Tax Collector for a registration certificate for the succeeding registration year (commencing July 1, 2003, and ending June 30, 2004). The application for renewal of such certificate shall become delinquent if not paid on or before February 28, 2003.*~~

~~*(e) A registration certificate issued for any registration year after the Registration Transition Period shall be valid through June 30 of such registration year. Except as provided in subsection (f) of this Section, for any registration year commencing on or after July 1, 2003, any person engaging in business within the City shall, between January 1 and the last day of May, apply to the Tax Collector for a registration certificate for the succeeding registration year. The application for renewal of the annual registration certificate shall become delinquent if the registration fee is not paid on or before the last day of May.*~~

~~*(f)*~~*(b)* A person shall have 15 days after commencing business within the City to apply for a registration certificate. The registration fee for newly-established businesses shall be prorated as follows:

~~*(1) For tax years ending on or before December 31, 2001, the fee for obtaining a registration certificate for a newly established business shall be determined in accordance with*~~

~~*Sections 1007, 1007.1 and 1007.2 of Article 12-B of the Business Tax and Regulations Code as it read on December 31, 1999, or the predecessor provisions governing the registration fee for the relevant tax year.*~~

~~*(2) For the tax year ending on December 31, 2002, the fee for obtaining a registration certificate for a newly established business shall be determined pursuant to Section 855 of this Article using the estimated Payroll Expense Tax liability for such tax year. The registration fee for any person who commences business operations within the City during such tax year shall be prorated as follows: For persons commencing business between January 1st and March 31st, the registration fee shall be 100 percent of the annual fee; for persons commencing business between April 1st and June 30th, the registration fee shall be 75 percent of the annual fee; for persons commencing business between July 1st and September 30th, the registration fee shall be 50 percent of the annual fee; and for persons commencing business between October 1st and December 31st, the registration fee shall be 25 percent of the annual fee. Where a registration certificate is issued for a period other than for a calendar year, the Tax Collector shall have discretion to prorate the registration fee in accordance with the formula set forth in this paragraph.*~~

~~*(3) For the Registration Transition Period, the fee for obtaining a registration certificate for a newly established business shall be determined pursuant to Section 855 of this Article using the applicant's estimated tax liability under Article 12-A (Payroll Expense Tax Ordinance) for the 2003 tax year. For any person who commences business operations within the City on or after January 1, 2003, and before April 1, 2003, the registration fee shall be as set forth in subsection (c) of this Section. For any person who commences business operations within the City on or after April 1, 2003, and before July 1, 2003, the registration, fee shall be 25 percent of the amount of the annual registration fee otherwise applicable under Section 855(a) of this Article.*~~

~~*(4)*~~*(1) For the registration year commencing on or after July 1, 2014 and ending June 30, 2015, the fee for obtaining a registration certificate for a newly established business shall be* *determined pursuant to Section 855(c) of this Article using the applicant's estimated payroll expense under Article 12-A (Payroll Expense Tax Ordinance) for the tax year in which the person commences such business within the City.* For registration years commencing on or after July 1, ~~2003~~*2015*, the fee for obtaining a registration certificate for a newly established business shall be determined pursuant to Section 855*(e)* of this Article using the applicant's estimated ~~*tax liability*~~*gross receipts* under Article ~~*12-A (Payroll Expense Tax Ordinance)*~~*12-A-1 (Gross Receipts Tax Ordinance)* for the tax year in which the person commences such business within the City. The registration fee ~~*for persons who commence business operations after the Registration Transition Period*~~ shall be prorated as follows: For persons commencing business between January 1st and March 31st, the registration fee shall be 50 percent of the annual fee; for persons commencing business between April 1st and June 30th, the registration fee shall be 25 percent of the annual fee; for persons commencing business between July 1st and September 30th, the registration fee shall be 100 percent of the annual fee; and for persons commencing business between October 1st and December 31st, the registration fee shall be 75 percent *of* the annual fee. Where a registration certificate is issued for a period other than for a registration year, the Tax Collector shall have discretion to prorate the registration fee in accordance with this model.

~~*(5)*~~*(2)* Notwithstanding any other provision of this Article, no person obtaining a registration certificate for a newly established business that qualifies for the ~~$25~~ minimum registration fee set forth in Section 855 of this Article shall be entitled to prorate the registration fee under this Section, but instead shall pay the ~~$25~~ minimum registration fee.

~~*(g)*~~*(c)* All applications for renewal of registration certificates shall be accompanied by the full amount of the applicant's annual registration fee for the period covered by the registration certificate.

~~(h)~~*(d)* Promptly after receiving a properly completed application and registration fee from any person, the Tax Collector shall determine whether the applicant has paid all outstanding: (1) *gross receipts taxes; (2)* ~~P~~*p*ayroll ~~E~~*e*xpense ~~T~~*t*axes; ~~(2)~~*(3)* costs and/or charges assessed pursuant to ~~Section 174.2 of~~ Article 5.1 of the Public Works Code, as amended from time to time, for failure to abate a nuisance regarding the cleanliness of an abutting public sidewalk or right-of-way; and ~~(3)~~*(4)* other taxes and license fees due to the City. In addition, the Tax Collector may investigate whether the applicant has paid other amounts owning to the City as a result of fines, penalties, interest, assessments, or any other financial obligations imposed by law, regulation or contract. If the Tax Collector determines that all liabilities have been paid, the Tax Collector shall issue a registration certificate to the applicant for each place of business maintained by the applicant.

~~(i)~~*(e)* If a person submits a timely application under this Section and the Tax Collector determines that the applicant has satisfied all the requirements of this Article, including the payment of all outstanding liabilities owed to the City, then the Tax Collector shall issue a registration certificate to the applicant within 30 days after the Tax Collector makes such determination.

~~(j)~~*(f)* Each registration certificate shall be non-assignable and nontransferable. The holder of the registration certificate shall surrender the certificate to the Tax Collector immediately upon the sale or transfer of the business for which the Tax Collector issued the registration certificate. The holder of the registration certificate shall also surrender the certificate to the Tax Collector when such holder ceases to conduct business at the location designated in the certificate.

~~(k)~~*(g)* If the Tax Collector determines that any liabilities enumerated in subsection ~~(h)~~*(d)* of this Section remain unpaid as of the date an application is received, the Tax Collector shall give written notification of that fact to the applicant. The written notification shall set forth the amount owed, the liabilities enumerated in subsection ~~(h)~~*(d)* of this Section for which the amount(s) are owed, the dates the liabilities were incurred and any other information the Tax Collector deems necessary to apprise the applicant of what specific liabilities are owed to the City. The Tax Collector shall not issue a registration certificate unless and until the applicant has paid all amounts owing to the City, including*,* but not limited to, taxes, license fees, and costs or charges assessed for failure to abate a nuisance condition on a public right-of-way under ~~Section 174.2 of~~ Article 5.1 of the Public Works Code, as amended from time to time, for which the applicant is liable; provided, that if a good faith dispute exists regarding the amount of the outstanding liability or liabilities owed by the applicant to the City and the dispute is pending before a City agency or court of competent jurisdiction, then the Tax Collector shall not refuse to issue a registration certificate solely for non-payment of the amount in dispute.

~~(l)~~*(h)* Each registration certificate, and each duplicate thereof, shall set forth the name under which the person transacts or intends to transact business, the location of the registrant's place of business and such other information as the Tax Collector may require, and be prominently displayed therein. In the case of a sole proprietorship, the registration certificate shall be signed by the sole proprietor; in the case of a partnership, the registration certificate shall be signed by a general partner; in the case of a limited liability company, the registration certificate shall be signed by the managing member; and in the case of a corporation, the registration certificate shall be signed by the person authorized by the corporation to sign on its behalf.

~~(m)~~*(i)* Each person liable for payment of a registration fee pursuant to this Article shall ~~only~~pay *only* one *annual* registration fee*.* ~~; however, t~~*T*he Tax Collector shall issue a separate registration certificate for each location within the City where the person engages in business.

(j) The person may register up to 15 fictitious business names (sometimes abbreviated DBA, dba or d/b/a) without an additional charge. The Tax Collector shall charge a fee of $25, in addition to

the registration fee, for each fictitious business name under which the business or operation is registered to conduct business in the City in addition to the first 15 fictitious business names registered.

(k) In addition to all other civil penalties provided for by law, the Tax Collector may charge any person who fails to register in a timely manner a fictitious business name or a location within the City where the person engages in business, an administrative penalty of $500 per fictitious business name or business location that the person fails to register.

SEC. 863. AMENDMENT OF ORDINANCE.

The Board of Supervisors may amend or repeal Article 12 of the Business and Tax Regulations Code without a vote of the people except as limited by Article XIIIC of the California Constitution.

Section 6. The San Francisco Business and Tax Regulations Code is hereby amended by amending Sections 903.1, 905-A and 906E and adding Section 909 to Article 12-A, to read as follows:

SEC. 903.1. RATE OF PAYROLL EXPENSE TAX.

(a) Except as provided in subsection (b), ~~T~~*t*he rate of the payroll expense tax shall be 1½ percent. The amount of a person's liability for the payroll expense tax shall be the product of such person's taxable payroll expense multiplied by *the rate of the payroll expense tax expressed as a decimal (e.g., for a payroll expense tax rate of 1½ percent,* 0.015*)*. The amount of such tax for Associations shall be ~~1½ percent~~*the sum* of the payroll expense of such Association~~, plus 1½ percent of~~ *and* the total distributions made by such Association by way of salary to those having an ownership interest in such Association*, multiplied by the rate of the payroll expense tax expressed as a decimal (e.g., for a payroll expense tax rate of 1½ percent, 0.015)*. Amounts paid or credited to those having an ownership interest in such Association prior and in addition to the

distribution of ownership profit or loss shall be presumed to be distributions "by way of salary" and for personal services rendered, unless the taxpayer proves otherwise by clear and convincing evidence.

(b) Commencing on the operative date of the Gross Receipts Tax Ordinance, the rate of the payroll expense tax shall be computed by the Controller in accordance with subsections (c) and (d). The Controller shall certify and publish such rate on or before September 1 of each year.

(c) Commencing on the operative date of the Gross Receipts Tax Ordinance:

(1) For any tax year in which the payroll expense tax rate, computed in accordance with subsection (d), is less than zero, then the payroll expense tax rate for that year and all subsequent years shall be zero. The Controller shall certify and publish such rate on or before September 1 of that year.

(2) Notwithstanding any other provision of this Article or Article 12-A-1, the payroll expense tax rate for 2019 and all future years shall be the rate in effect in tax year 2018. The Controller shall certify and publish such rate on or before September 1, 2019, at which time the Controller's duty to compute, certify and publish the payroll expense tax rate shall cease.

(3) Notwithstanding any other provision of this Article or Article 12-A-1, in no event shall the payroll expense tax rate for any year exceed 1½ percent.

(d) Payroll Expense Tax Rate Computation. The Controller shall compute the payroll expense tax rate for each tax year according to the following table and formulas:

(1) Payroll Expense Tax Rate Computation Table

Tax Year	*Payroll Expense Tax Rate (PAYRATEyear)*
2014	$PAYRATE_{14} = 1.350\%$
2015	$PAYRATE_{15} = 1.125\% + PADJ_{15}$

2016	$PAYRATE_{16} = 0.750\% + PADJ_{16}$
2017	$PAYRATE_{17} = 0.375\% + PADJ_{17}$
2018	$PAYRATE_{18} = 0\% + PADJ_{18}$

Where: "PADJyear" is the payroll expense tax rate adjustment factor expressed as a percentage and computed in accordance with subsection (d)(2).

(2) Payroll Expense Tax Rate Adjustment Factor Computation. Unless the prior year's payroll expense tax rate is zero, in which case the payroll expense tax adjustment factor does not apply, the Controller shall compute the payroll expense tax rate adjustment factor (PADJyear) according to the following table and formulas:

Payroll Expense Tax Rate Adjustment Factor Computation Table

Tax Year	*Payroll Expense Tax Rate Adjustment (PADJyear)*
2015	$PADJ_{15} = MR_{15}/(PAYTAX_{14}/PAYRATE_{14})$
2016	$PADJ_{16} = MR_{16}/(PAYTAX_{15}/PAYRATE_{15})$
2017	$PADJ_{17} = MR_{17}/(PAYTAX_{16}/PAYRATE_{16})$
2018	$PADJ_{18} = MR_{18}/(PAYTAX_{17}/PAYRATE_{17})$

Where:

(A) "PAYTAXyear" = is, for any year, the actual payroll expense tax revenue (not including penalties, interest, or administrative fees) due for that year and collected on or before June 30 of the following year;

(B) "PAYRATEyear" = is, for any year, the payroll expense tax rate in effect for that year; and

(C) "MRyear" is computed in accordance with subsection (d)(3).

(3) Missing Revenue Factor Computation. The Missing Revenue Factor (MRyear) is, for any year, the amount by which the combined revenue actually collected from the payroll expense tax, gross receipts tax, and business registration fee for the previous year differs from the sum of expected payroll tax revenue, business registration fees, and administrative costs for the previous year. Unless the prior year's payroll expense tax rate is zero, in which case the missing revenue factor does not apply, the Controller shall compute the missing revenue factor (MRyear) according to the following table and formulas:

Missing Revenue Factor Computation Table

Tax Year	*Missing Revenue (MRyear)*
2015	$MR_{15} = ADM_{14} + \$37{,}216{,}000 + ER_{14} - (1.125\%/1.350\%) \times PAYTAX_{14} - (25\%/10\%) \times GRTAX_{14} - REG_{14}$
2016	$MR_{16} = ADM_{15} + \$38{,}071{,}000 + ER_{15} - (0.750\%/PAYRATE_{15}) \times PAYTAX_{15} - (50\%/25\%) \times GRTAX_{15} - REG_{15}$
2017	$MR_{17} = ADM_{16} + \$38{,}951{,}650 + ER_{16} - (0.375\%/PAYRATE_{16}) \times PAYTAX_{16} - (75\%/50\%) \times GRTAX_{16} - REG_{16}$
2018	$MR_{18} = ADM_{17} + \$39{,}858{,}720 + ER_{17} - (100\%/75\%) \times GRTAX_{17} - REG_{17}$

Where:

(A) "GRTAXyear" is, for any year, the actual gross receipts tax revenue (not including penalties, interest, or administrative fees) due for that year and collected on or before June 30 of the following year;

(B) "REGyear" is, for any year, the business registration fee revenue for the fiscal year beginning in that year and collected on or before June 30 of that year;

(C) "ERyear" is the computed in accordance with subsection (d)(4);

(D) "$37,216,000", $38,071,000", "38,951,650", and "39,858,720" are the amounts of total business registration fee revenue expected for the year prior to the year for which MRyear is being computed; and

(E) "ADMyear" is an estimate of the additional expense incurred by the Tax Collector in administering the tax. It shall be established annually by the Controller and shall not exceed 2 percent of the sum of the actual payroll expense tax revenue and gross receipts tax revenue for the prior year.

(4) Expected Revenue Factor Computation. The Expected Review Factor (ERyear) is, for any year, an estimate of the amount of payroll expense tax that would have been collected had a 1 ½ percent payroll expense tax rate been in effect based on the actual amount of payroll expense tax collected in the previous year, the previous year's payroll expense tax rate, and an assumed growth of 3 percent in the tax base. Unless the prior year's payroll expense tax rate is zero, the Controller shall compute the expected revenue factor (ERyear) according to the following table and formulas:

Expected Revenue Factor Computation Table

Tax Year	*Expected Revenue (ERyear)*
2014	$ER_{14} = PAYTAX_{13}$ x 1.03
2015	$ER_{15} = (1.500\%/1.350\%)$ x $PAYTAX_{14}$ x 1.03
2016	$ER_{16} = (1.500\%/PAYRATE_{15})$ x $PAYTAX_{15}$ x 1.03
2017	$ER_{17} = (1.500\%/PAYRATE_{16})$ x $PAYTAX_{16}$ x 1.03

SEC. 905-A. SMALL BUSINESS TAX EXEMPTION.

(a) Notwithstanding any other provisions of this Article, *a* "small business enterprise~~s~~" as hereinafter defined, shall be exempt from payment of the ~~P~~*p*ayroll ~~E~~*e*xpense ~~T~~*t*ax; provided, however, that *a* small business enterprise~~s~~ shall pay the annual registration fee pursuant to Section 855 of Article 12.

(b) The term "small business enterprise" shall mean and include any taxpayer:

(1) Whose tax liability under this Article, but for this exemption provision, would not exceed $2,500~~.00~~ or, effective January 1, 2009 whose taxable payroll expense does not exceed $250,000~~.00~~*;* and~~:~~

(2) Who has filed a tax return by the last date of February for the preceding tax year. If the taxpayer fails to file a return by that date, the taxpayer shall be subject to a penalty as specified in ~~S~~*s*ubsection (d).

(c) For the 2011 tax year, and each second succeeding tax year the Tax Collector shall increase the ceiling for the ~~S~~*s*mall ~~B~~*b*usiness ~~T~~*t*ax ~~E~~*e*xemption (rounded to the nearest $10,000~~.00~~ increment) to reflect increases in the United States Department of Labor's Bureau of Labor Statistics consumer price index for all urban customers for the San Francisco-Oakland-San Jose area for each of the preceding two tax years.

(d) In lieu of the penalty specified in Section 6.17-3 of ~~this~~ Article *6* for failing to file a return, any person who otherwise qualifies for the small business *tax* exemption set forth in this Section who fails to file a return by the last date of February shall pay a penalty as follows:

(1) If the person's ~~P~~*p*ayroll ~~E~~*e*xpense ~~T~~*t*ax liability under this Article, but for the small business *tax* exemption under this ~~s~~*S*ection, would be ~~less than $1,000.00~~*$2,250 or more*, the penalty shall be ~~$100.00 plus 10%~~*5 percent* of the amount of such liability, for each month, or fraction thereof, that the return is delinquent, *plus an additional 5 percent each month, or fraction thereof, that the return is delinquent, up to a maximum of 20 percent of the tax liability. Any penalties remaining unpaid for a period of 90 days or more shall be subject to an additional penalty of 20 percent of the amount of the tax liability excluding penalties and interest.*

(2) Penalties are due and payable when assessed. Unpaid penalties, interest and fees shall accrue interest at the rate of 1 percent per month, or fraction thereof, from the date that they are assessed through the date of payment. The total amount of the penalties, interest and fees shall not exceed the~~*up to a maximum*~~ amount ~~*equal to*~~*of* the person's *payroll* liability for ~~*such tax*~~*the period* but for the small business *tax* exemption~~;~~*.*

~~*(2) If the person's Payroll Expense Tax liability under this Article, but for the small business exemption under this section, would be $1,000.00 or more, then the penalty shall be $250.00 plus 10% of the amount of such liability, for each month, or fraction thereof, that the return is delinquent, up to a maximum amount equal to the person's liability for such tax but for the small business exemption.*~~

(e) The Tax Collector may, in his or her discretion, reduce the penalty set forth in ~~*S*~~*s*ubsection ~~*(c)*~~*(d)* to not less than $100~~*.00*~~ upon a showing that the late filing of the return was due to reasonable cause and not due to willful neglect.

SEC. 906E. CREDIT OF SURPLUS BUSINESS TAX REVENUE.

(a) General Rule. Any business, as defined in Section 902.2 of Part III of the Municipal Code, that does not qualify as a "small business enterprise" under the provisions of Section 905-A (Small Business Exemption), shall be allowed a credit against the ~~*P*~~*p*ayroll ~~*E*~~*e*xpense ~~*T*~~*t*ax for any taxable year ending within a fiscal year of the City and County of San Francisco immediately following a fiscal year in which the City and County of San Francisco has surplus Business Tax revenue; provided, however, that in no event shall the tax credit allowable pursuant to this Section reduce a taxpayer's liability for such tax to an amount less than zero. For each fiscal year, the Controller shall determine whether the City and County of San Francisco has surplus Business Tax revenue. The Controller's determination whether the City and County of San Francisco has surplus Business Tax revenue shall be made on or before the first business day of September following the close of such fiscal year; provided, however, that for purposes of the 1997/1998 fiscal year, the Controller may make his or her determination on or before December 31, 1998. The Controller shall notify the Tax Collector of his or her determination.

(b) Amount of Credit. For purposes of this Section, the amount of the tax credit for any taxable year shall be $500~~*.00*~~; provided, however, that in no event shall the tax credit allowable pursuant to this Section reduce a taxpayer's liability for such tax to an amount less than zero.

(c) Definitions. The following definitions shall apply to the terms used in this Section.

(1) For any fiscal year of the City and County of San Francisco, the City and County of San Francisco shall be deemed to have "surplus Business Tax revenue" if and only if the actual Business Tax revenue for such fiscal year exceeds the anticipated Business Tax revenue for such fiscal year.

(2) For any fiscal year of the City and County of San Francisco, the "actual Business Tax revenue" means the aggregate amount of tax revenue collected pursuant *to* Article 12-A (Payroll Expense Tax Ordinance) and Article 12-B (Business Tax Ordinance) of Part III of the San Francisco Municipal Code, less the amount of such revenue for such year allocable solely to tax rate increases in such year.

(3) For any fiscal year of the City and County of San Francisco, the "anticipated Business Tax revenue" is an amount equal to the product of (i) the actual Business Tax revenue for the fiscal year immediately preceding such fiscal year, multiplied by (ii) 107.5 percent.

(d) Effective Date. The tax credit provided by this Section shall be allowable in taxable years ending after 1997 *and shall expire by operation of law on December 31, 2018. The City*

Attorney shall cause it to be removed from future editions of the Business and Tax Regulations Code after that date.

SEC. 909. AMENDMENT OF ORDINANCE.

The Board of Supervisors may amend or repeal Article 12-A of the Business and Tax Regulations Code without a vote of the people except as limited by Article XIIIC of the California Constitution.

Section 7. The San Francisco Business and Tax Regulations Code is hereby amended by amending Sections 6.1-1, 6.2-12, 6.2-17, 6.9-1, 6.9-2, and 6.9-3 and adding Section 6.24-1 to Article 6, to read as follows:

SEC. 6.1-1. COMMON ADMINISTRATIVE PROVISIONS.

(a) These common administrative provisions shall apply to Article 6, 7, 9, 10, 10B, 11, 12, 12-A, *12-A-1,* and 12-B of this Code and to Chapter 105 of the San Francisco Administrative Code, unless the specific language of either Code otherwise requires. Any provision of this Article 6 that references or applies to Article 10 shall be deemed to reference or apply to Article 10B. Any provision of this Article 6 that references or applies to a tax shall be deemed to also reference or apply to a fee administered pursuant to this Article.

(b) Unless expressly provided otherwise, all statutory references in this Article and the Articles set forth in subsection (a) shall refer to such statutes as amended from time to time and shall include successor provisions.

(c) For purposes of this Article, a domestic partnership established pursuant to Chapter 62 of the San Francisco Administrative Code shall be treated the same as a married couple.

SEC. 6.2-12. NEXUS: "ENGAGING IN BUSINESS WITHIN THE CITY."

~~(a)~~ The taxes imposed by Article 12-A (Payroll Expense Tax Ordinance)*, and Article 12-A-1 (Gross Receipts Tax Ordinance),* and the registration fee imposed by Article 12 (Business Registration Ordinance) shall apply to any person engaging in business within the City unless exempted therefrom under such Articles. A person is "engaging in business within the City," within the meaning of this Article, if that person meets one or more of the following conditions:

(~~1~~*a*) The person maintains a fixed place of business within the City; or

(~~2~~*b*) An employee, representative or agent of the person maintains a fixed place of business within the City for the benefit or partial benefit of the person; or

(~~3~~*c*) The person or one or more of the person's employees, representatives or agents owns, rents, leases, or hires real or personal property within the City for business purposes for the benefit or partial benefit of the person; or

(~~4~~*d*) The person or one or more of the person's employees, representatives or agents regularly maintains a stock of tangible personal property within the City, for sale in the ordinary course of the person's business; or

(~~5~~*e*) The person or one or more of the person's employees, representatives or agents employs or loans capital on property within the City for the benefit or partial benefit of the person; or

(~~6~~*f*) The person or one or more of the person's employees, representatives or agents solicits business within the City for all or part of any seven days during a tax year; or

(~~7~~*g*) The person or one or more of the person's employees, representatives or agents performs work or renders services within the City for all or part of any seven days during a tax year; or

(~~8~~*h*) The person or one or more of the person's employees, representatives or agents utilizes the streets within the City in connection with the operation of motor vehicles for business purposes for all or part of any seven days during a tax year; or

(~~9~~*i*) The person or one or more of the person's employees, representatives or agents exercises corporate or franchise powers within the City for the benefit or partial benefit of the person; or

(~~10~~*j*) The person or one or more of the person's employees, representatives or agents liquidates a business when the liquidators thereof hold themselves out to the public as conducting such business.

SEC. 6.2-17. RETURN. The term "return" means any written statement required to be filed pursuant to Articles 6, 7, 9, 10, 10A, 11, 12*, 12-A* or 12-A*-1*.

SEC. 6.9-1. DETERMINATIONS, RETURNS AND PAYMENTS; DUE DATE OF TAXES.

Except for jeopardy determinations under Section 6.12-2, and subject to prepayments required under Section 6.9-2, all amounts of taxes and fees imposed by Articles 6, 7, 9, 10, 10B, 11, ~~and~~ 12-A *and 12-A-1* are due and payable, and shall be delinquent if not paid to the Tax Collector on or before the following dates:

(a) For the transient hotel occupancy tax (Article 7) and the parking space occupancy tax (Article 9), for each calendar quarter, on or before the last day of the month following each respective quarterly period;

(b) For the payroll expense tax (Article 12-A) *and the gross receipts tax (Article 12-A-1),* on or before the last day of February of each year;

(c) For the utility users taxes (Article 10) and the access line tax (Article 10B), for each monthly period, on or before the last day of the following month; and

(d) For the stadium operator admission tax (Article 11), within 5 days after the event, subject to the provisions of Section 804 of Article 11.

SEC. 6.9-2. DETERMINATIONS, RETURNS AND PAYMENTS; RETURNS.

(a) *Returns.* Except as provided in subsection (b) below, on or before the due date, or in the event of a cessation of business within 15 days of such cessation, each taxpayer shall file a return for the subject period on a form provided by the Tax Collector, regardless of whether there is a tax liability owing. A person subject to any tax or required to remit any third-party tax who has not received a return form or forms from the Tax Collector is responsible for obtaining such form(s) and filing a return or returns on or before the due date, or upon the cessation of business. Returns shall show the amount of tax and any third-party tax paid or otherwise due for the related period and such other information as the Tax Collector may require. Each person subject to any tax or required to remit any third-party tax and required to file the return shall transmit the return, together with the remittance of the amount of tax or third-party tax due, to the Tax Collector at the Tax Collector's Office on or before the due date specified in Section 6.9-1.

(b) *Minimum Filing Amount.*

(1) With respect to each tax year, the Tax Collector may exempt from the annual tax return filing requirement those taxpayers whose liability under the Payroll Expense Tax Ordinance, computed without regard to the small business exemption set forth in Section 905-A of Article 12-A, is less than the Minimum Filing Amount for such tax year. For purposes of this Section, the Minimum Filing Amount shall be an amount of tax liability, computed without regard to such small business exemption, between zero and $2,250. The Tax Collector shall specify the Minimum Filing Amount prior to the beginning of each tax year. If the Tax Collector fails to specify a Minimum Filing Amount prior to the start of a new tax year,

the Minimum Filing Amount for such tax year shall be the Minimum Filing Amount for the preceding tax year.

(2) Notwithstanding any other provision of this Section, commencing with tax years beginning on or after December 31, 2013, a taxpayer whose taxable gross receipts in the City under the Gross Receipts Tax Ordinance (Article 12-A-1), computed without regard to the small business tax exemption set forth under Section 954.1 of Article 12-A-1, is less than $500,000, shall be exempt from filing a gross receipts tax return.

SEC. 6.9-3. DETERMINATIONS, RETURNS AND PAYMENTS; PREPAYMENTS.

(a) Prepayments and Remittances. Notwithstanding the due dates otherwise provided in Section 6.9-1, taxpayers shall make prepayments and remittances of taxes and third-party taxes to the Tax Collector as follows:

(1) Hotel and Parking Taxes. The Hotel Tax (Article 7) and the Parking Tax (Article 9) shall be remitted monthly. Such monthly remittances shall be due and payable to the Tax Collector on or before the last day of the month immediately following the month for which such remittance is due. Taxes paid in the first 2 monthly remittances of any quarterly period shall be a credit against the total liability for such third-party taxes for the quarterly period. The third monthly remittance of any quarterly period shall be in an amount equal to the total tax liability for the quarterly period, less the amount of any monthly remittance for such quarter actually paid.

(2) Payroll Expense Tax *and Gross Receipts Tax*. The ~~P~~*p*ayroll ~~E~~*e*xpense ~~T~~*t*ax (Article 12-A) *and the gross receipts tax (Article 12-A-1)* shall be paid in ~~*biannual or*~~ quarterly installments as follows:

(A) ~~*Small Firm Prepayments. Every person liable for payment of a total Payroll Expense Tax in excess of $3,750 but less than or equal to $50,000 for any tax year shall pay such tax*~~

~~*for the following tax year in 2 installments. The first installment shall be due and payable, and shall be delinquent if not paid on or before, August 1st. The first installment shall be a credit against the person's total Payroll Expense Tax for the tax year in which the first installment is due. The first installment shall be in an amount equal to one-half of the person's estimated Payroll Expense Tax for such tax year. The estimated liability shall be computed by using 52 percent of the person's taxable payroll expense (as defined in Section 902.1 of Article 12-A) for the preceding tax year, and the rate of tax applicable to the tax year in which the first installment is due. The second installment shall be reported and paid on or before the last day of February of the following year. The second installment shall be in an amount equal to the person's total Payroll Expense Tax for the subject tax year, less the amount of the first installment and other tax prepayments for such tax year, if any, actually paid.*~~

~~*(B) Large Firm Prepayments.*~~*Due Dates.* Every person liable for payment of ~~*a total P*~~*p*ayroll ~~*E*~~*e*xpense ~~*T*~~*t*ax *or gross receipts tax*~~*in excess of $50,000*~~ for any tax year shall pay such tax for the ~~*following*~~*subject* tax year in 4 quarterly installments. The first, second and third quarterly installments shall be due and payable, and shall be delinquent if not paid on or before, ~~*May 1st*~~*April 30*, ~~*August 1st*~~*July 31*and ~~*November 1st*~~*October 31st*, respectively*, of the subject tax year*. *The fourth installment shall be reported and paid on or before the last day of February following the subject tax year.*

(B) Payments.

(i) Installment Payments. The first, second and third quarterly installments shall be a credit against the person's total ~~*P*~~*p*ayroll ~~*E*~~*e*xpense ~~*T*~~*t*ax *or gross receipts tax, as applicable,* for the *subject* tax year in which such first, second and third quarterly installments are due. ~~*Such quarterly installments each shall be in an amount equal to one-quarter of the person's estimated Payroll Expense Tax liability for such tax year.*~~*The fourth quarterly installment shall be in an amount equal to the person's total payroll expense tax or gross receipts tax liability for*

the subject tax year, as applicable, less the amount of the payroll expense tax or gross receipts tax first, second and third quarterly installments and other tax payments, if any, actually paid.

(ii) ~~*The estimated liability for such tax year*~~*Payroll Expense Tax Installments. A person's first, second and third quarterly installment payments of payroll expense tax for any tax year* shall be computed by using*:*

1. ~~*104 percent of t*~~*T*he person's taxable payroll expense (as defined ~~*in Section 902.1 of*~~*under* Article 12-A) for ~~*the preceding tax year,*~~*each quarter;* and

2. ~~*t*~~*T*he rate of tax applicable to the tax year in which the first, second and third quarterly installments are due. ~~*The fourth installment shall be reported and paid on or before the last day of February of the following year. The fourth quarterly installment shall be in an amount equal to the person's total Payroll Expense Tax liability for the subject tax year, less the amount of the first, second and third quarterly installments and other tax prepayments, if any, actually paid.*~~

3. Notwithstanding the foregoing, and except for taxpayers under Section 953.8 of Article 12-A-1, for tax years commencing after December 31, 2013, the first, second and third quarterly installments shall be computed using the rates set forth in the following table:

Tax Year	*1st, 2nd and 3rd Installments*
2014	*1.350%*
2015	*1.125%*
2016	*0.750%*
2017	*0.375%*
2018	*0.000%*

~~*for the following tax year in 2 installments. The first installment shall be due and payable, and shall be delinquent if not paid on or before, August 1st. The first installment shall be a credit against the person's total Payroll Expense Tax for the tax year in which the first installment is due. The first installment shall be in an amount equal to one-half of the person's estimated Payroll Expense Tax for such tax year. The estimated liability shall be computed by using 52 percent of the person's taxable payroll expense (as defined in Section 902.1 of Article 12-A) for the preceding tax year, and the rate of tax applicable to the tax year in which the first installment is due. The second installment shall be reported and paid on or before the last day of February of the following year. The second installment shall be in an amount equal to the person's total Payroll Expense Tax for the subject tax year, less the amount of the first installment and other tax prepayments for such tax year, if any, actually paid.*~~

~~*(B) Large Firm Prepayments.*~~*Due Dates.* Every person liable for payment of ~~*a total P*~~*p*ayroll ~~*E*~~*e*xpense ~~*T*~~*t*ax *or gross receipts tax*~~*in excess of $50,000*~~ for any tax year shall pay such tax for the ~~*following*~~*subject* tax year in 4 quarterly installments. The first, second and third quarterly installments shall be due and payable, and shall be delinquent if not paid on or before, ~~*May 1st*~~*April 30*, ~~*August 1st*~~*July 31*and ~~*November 1st*~~*October 31st*, respectively*, of the subject tax year*. *The fourth installment shall be reported and paid on or before the last day of February following the subject tax year.*

(B) Payments.

(i) Installment Payments. The first, second and third quarterly installments shall be a credit against the person's total ~~*P*~~*p*ayroll ~~*E*~~*e*xpense ~~*T*~~*t*ax *or gross receipts tax, as applicable,* for the *subject* tax year in which such first, second and third quarterly installments are due. ~~*Such quarterly installments each shall be in an amount equal to one-quarter of the person's estimated Payroll Expense Tax liability for such tax year.*~~*The fourth quarterly installment shall be in an amount equal to the person's total payroll expense tax or gross receipts tax liability for*

the subject tax year, as applicable, less the amount of the payroll expense tax or gross receipts tax first, second and third quarterly installments and other tax payments, if any, actually paid.

(ii) ~~*The estimated liability for such tax year*~~*Payroll Expense Tax Installments. A person's first, second and third quarterly installment payments of payroll expense tax for any tax year* shall be computed by using*:*

1. ~~*104 percent of t*~~*T*he person's taxable payroll expense (as defined ~~*in Section 902.1 of*~~*under* Article 12-A) for ~~*the preceding tax year,*~~*each quarter;* and

2. ~~*t*~~*T*he rate of tax applicable to the tax year in which the first, second and third quarterly installments are due. ~~*The fourth installment shall be reported and paid on or before the last day of February of the following year. The fourth quarterly installment shall be in an amount equal to the person's total Payroll Expense Tax liability for the subject tax year, less the amount of the first, second and third quarterly installments and other tax prepayments, if any, actually paid.*~~

3. Notwithstanding the foregoing, and except for taxpayers under Section 953.8 of Article 12-A-1, for tax years commencing after December 31, 2013, the first, second and third quarterly installments shall be computed using the rates set forth in the following table:

Tax Year	*1st, 2nd and 3rd Installments*
2014	*1.350%*
2015	*1.125%*
2016	*0.750%*
2017	*0.375%*
2018	*0.000%*

The fourth quarterly installment shall be in an amount equal to the person's total payroll expense tax liability for the subject tax year, less the amount of the first, second and third quarterly installments and other tax payments, if any, actually paid. A person's total payroll expense tax liability shall be computed using the rate for the subject tax year computed, certified, and published by the Controller under Section 903.1 of Article 12-A or as otherwise provided in this Article.

(iii) Gross Receipts Tax Installments. A person's first, second, and third quarterly installments of gross receipts tax for any tax year shall be computed by using:

1. The person's taxable gross receipts (as defined under Article 12-A-1) for each quarter; and

2. The rate of tax applicable to the tax year in which the first, second and third quarterly installments are due.

3. Notwithstanding the foregoing, and except for taxpayers under Section 953.8 of Article 12-A-1, for tax years commencing after December 31, 2013, the first, second and third quarterly installments shall be computed using the rates applicable to the person's taxable gross receipts under Sections 953.1 through 953.7 of Article 12-A-1, multiplied by the percentages set forth in the following table:

Tax Year	*1st, 2nd and 3rd Installments*
2014	*10%*
2015	*25%*
2016	*50%*
2017	*75%*
2018	*100%*

The fourth quarterly installment shall be in an amount equal to the person's total gross receipts tax liability for the subject tax year, less the amount of the first, second and third quarterly installments and other tax payments, if any, actually paid. A person's total gross receipts tax liability shall be computed using the rate for the subject tax year computed, certified, and published by the Controller under Section 959 of Article 12-A-1, or as otherwise provided in that Article.

(b) Tax Prepayment Penalties. Every person who fails to pay any tax prepayment required under this Section before the relevant delinquency date shall pay a penalty in the amount of 5 percent of the amount of the delinquent tax prepayment per month, or fraction thereof, up to 20 percent in the aggregate, and shall also pay interest on the amount of the delinquent tax prepayment and penalties from the date of delinquency at the rate of 1 percent per month, or fraction thereof, for each month the prepayment is delinquent, until paid.

(c) Hotel and Parking Taxes. An operator subject to the Hotel Tax (Article 7) or the Parking Tax (Article 9) shall make monthly remittances in the amount of the actual tax owed.

(d) Forms and Adjustments. Tax prepayments required under this Section shall be accompanied by a tax prepayment form prepared by the Tax Collector, but failure of the Tax Collector to furnish the taxpayer with a tax prepayment form shall not relieve the taxpayer from any tax prepayment obligation. The Tax Collector may, in writing, adjust the amount of a tax prepayment if the taxpayer can establish in writing by clear and convincing evidence that the first installment of semi-annual tax prepayments, or first, second or third monthly installment of a quarterly tax prepayment, will amount to more than one-half or one-quarter, respectively, of the person's total tax liability for the tax year in which the installment is due.

SEC. 6.24-1. AMENDMENT OF ORDINANCE.

The Board of Supervisors may amend or repeal Article 6 of the Business and Tax Regulations Code without a vote of the people except as limited by Article XIIIC of the California Constitution.

Section 8. Effective Date.

This measure shall go into effect 10 days after the date the official vote count is declared by the Board of Supervisors.

Section 9. Severability.

Except as provided in Section 11 of this Ordinance, if any section, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining sections, sentences, clauses, phrases, or portions of this Ordinance shall nonetheless remain in full force and effect. The people of the City and County of San Francisco hereby declare that, except as provided in Section 11, they would have adopted each section, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable and, to that end, the provisions of this Ordinance are severable.

Section 10. Savings Clause.

(a) No section, clause, part or provision of this Ordinance shall be construed as requiring the payment of any tax that would be in violation of the Constitution or laws of the United States or of the Constitution or laws of the State of California. Except as provided in Section 965(b) of Article 12-A-1 of this Ordinance, if any section, clause, part or provision of this Ordinance, or the application thereof to any person or circumstances, is held invalid or unconstitutional, the remainder of this Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Ordinance are severable.

(b) If the imposition of the gross receipts tax in Section 953 of Article 12-A-1 of this Ordinance is held invalid or unconstitutional in a final court determination, the remainder of this Ordinance shall be null and void and of no force and effect.

Section 11. In enacting this Ordinance, the voters intend to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any other constituent part of the Business and Tax Regulations Code that are explicitly shown in this legislation as additions and deletions in accordance with the "Note" that appears under the official title of the legislation.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Jean H. Alexander
JEAN H. ALEXANDER
Deputy City Attorney

FILE NO.

LEGISLATIVE DIGEST

[Initiative Ordinance – Business and Tax Regulations Code – Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]

Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately $28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax

Existing Law

The City and County of San Francisco currently imposes a tax on the payroll expense of persons who conduct business in the City. The tax is levied at a rate of 1.5 percent against a business's taxable payroll expense, which includes all compensation a person pays to individuals for services performed in the City. The City exempts small businesses with less than $250,000 in payroll expense.

Amendments to Current Law

The legislation phases in a gross receipts tax gradually, over a five-year period that commences with tax year 2014. The phase-in period allows businesses time to adjust to the gross receipts tax. It also minimizes risk of revenue uncertainty to the City, and to business taxpayers as a whole. Also beginning in tax year 2014, the payroll expense tax will be phased out in increments consistent with the phase in of the gross receipts tax, and is expected to be phased out completely in tax year 2018. If the gross receipts tax generates revenue in excess of that expected during the phase-in process, the payroll expense tax will be phased out early and final gross receipts tax rates will be permanently established at less than the maximum rates authorized by this Ordinance. If, on the other hand, gross receipts tax revenues are less than expected, then the payroll expense tax will not be fully phased out, and a reduced payroll expense tax rate will remain at the end of the process. Beginning tax year 2014, a business whose predominant activity in the City is providing administrative services for itself or a related entity will continue to pay a tax based on its payroll expense instead of on its gross receipts. All tax proceeds would be deposited in the General Fund and could be expended for any purpose of the City.

Section 2 provides that the Ordinance will be submitted to qualified electors at the November 6, 2012 general election.

Section 3 enacts new Article 12-A-1, the Gross Receipts Tax Ordinance, as specified. The proposed Gross Receipts Tax Ordinance would impose a tax for the privilege of engaging in a business in the City that is measured by the taxpayer's gross receipts from business activities that are attributable to the City. The rate of the gross receipts tax is dependent upon a business's activities and the rates are progressive within each industry group. A business predominantly engaged in the City in providing administrative services for itself or a related entity would pay a fixed rate of tax measured by its payroll expense. Businesses with less than $1 million in gross receipts would be exempt from the gross receipts tax. The $1 million threshold is indexed for inflation. The gross receipts tax is to be phased in over a five-year period and during that period, the City's payroll expense tax will be phased out. The value of certain exclusions under the current payroll expense tax are carried forward into the gross receipts tax.

Section 4 provides that all sections of this Ordinance are operative beginning tax year 2014, except for the amendments to the Business Registration Ordinance, which are operative on the effective date of this Ordinance.

Section 5 amends the Business Registration Ordinance under Article 12 to establish business registration fees for 2014-2015 based on payroll expense, to establish business registration fees for registration years beginning after June 30, 2015 based on gross receipts to generate an additional $28.5 million in revenue, and to index the business registration fees for inflation. It also amends current business registration fees to add a penalty for failure to register business locations and fictitious business names with the Tax Collector, and to add a new fee for registering more than 15 fictitious business names.

Section 6 amends the Payroll Expense Tax Ordinance under Article 12-A to conform the payroll expense tax rates to the phase in of the Gross Receipts Tax Ordinance and provide a sunset date for the existing surplus business tax revenue credit.

Section 7 amends the Common Administrative Provisions set forth in Article 6 of the Business and Tax Regulations Code. The amendments to Article 6 amend return and payment requirements and otherwise conform the administrative provisions to the provisions of the Gross Receipts Tax Ordinance and the amendments to the Payroll Expense Tax Ordinance.

Section 8 provides that the effective date of this legislation is 10 days after the date the official vote count is declared by the Board of Supervisors.

Background Information

San Francisco is the only major city in California that levies its entire business tax on payroll expense. This payroll-based tax raises an affected business's cost of hiring a worker in San Francisco, and thereby discourages job creation. Instituting a tiered rate structure under which a business is taxed based on its gross receipts will better distribute the tax burden among the City's businesses.

A gross receipts tax is the most common business tax base among California's largest cities. Replacing the payroll expense tax in San Francisco can be expected to stimulate employment in the City, as well as broadening and stabilizing the tax base.

File No. 120681

I hereby certify that the foregoing Motion was APPROVED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Motion: M12-092

File Number: 120681 **Date Passed:** July 31, 2012

Motion ordering submitted to the voters an "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately $28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012.

July 12, 2012 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 12, 2012 Budget and Finance Sub-Committee - CONTINUED AS AMENDED

July 18, 2012 Budget and Finance Sub-Committee - REFERRED WITHOUT RECOMMENDATION

July 24, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

July 24, 2012 Board of Supervisors - CONTINUED AS AMENDED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

July 31, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

FILE NO. 120743 MOTION NO. M12-093

[Confirming Appointment, Port Commission – William Adams]

Motion confirming the Mayor's appointment of William Adams to the Port Commission, term ending May 1, 2014.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointment by the Mayor of the following designate to serve as a member of the San Francisco Port Commission, pursuant to Section 4.114 of the San Francisco Charter, for the term specified:

William Adams, succeeding F.X. Crowley, to serve the unexpired portion of a four-year term ending May 1, 2014.

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City and County of San Francisco
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Motion: M12-093

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120743 **Date Passed:** July 31, 2012

Motion confirming the appointment of William Adams to the Port Commission, term ending May 1, 2014.

July 19, 2012 Rules Committee - RECOMMENDED

July 31, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120743

I hereby certify that the foregoing Motion was APPROVED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title – 7/19/12

FILE NO. 120745 MOTION NO. M12-094

[Appointment, Board of Appeals – Frank Fung]

Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2016.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Frank Fung to the Board of Appeals, received by the Clerk of the Board on June 25, 2012; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination of Frank Fung to the Board of Appeals term ending July 1, 2016.

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City and County of San Francisco

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Motion: M12-094

City Hall
1 Dr. Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120745 **Date Passed:** July 31, 2012

Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2016.

July 19, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 19, 2012 Rules Committee - RECOMMENDED AS AMENDED

July 31, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120745

I hereby certify that the foregoing Motion was APPROVED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120768 MOTION NO. M12-095

[Disapproving Planning Commission Decision Related to Conditional Use Authorization - 3901-24th Street]

Motion disapproving decision of the Planning Commission by its Motion No. 18648, approving Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission's Motion No. 18648 dated June 14, 2012, approving a Conditional Use Authorization identified as Planning Case No 2011.1372C, under Planning Code Sections 728.49 and 790.110 to convert a vacant ground floor commercial space into a financial service (d.b.a. First Republic Bank) within the 24th Street - Noe Valley Neighborhood Commercial District and a 40-X Height and Bulk District and adopting findings under the California Environmental Quality Act on property located at:

3901-24th Street, Assessor's Block No. 6508, Lot No. 001.

be and the same is disapproved.

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City and County of San Francisco
Tails
Motion: M12-095

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120768 **Date Passed:** July 31, 2012

Motion disapproving decision of the Planning Commission by its Motion No. 18648, approving Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street, and adopting findings pursuant to Planning Code Section 101.1.

July 31, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120768

I hereby certify that the foregoing Motion was APPROVED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 120769 MOTION NO. M12-096

[Preparation of Findings Related to the Conditional Use Authorization - 3901-24th Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street.

IT IS HEREBY MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to proposed Conditional Use Authorization No. 2011.1372C, on property located at 3901-24th Street.

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City and County of San Francisco
Tails
Motion: M12-096

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120769 **Date Passed:** July 31, 2012

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street.

July 31, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120769

I hereby certify that the foregoing Motion was APPROVED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120727 MOTION NO. M12-097

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[Affirming Approval of a Certificate of Appropriateness for Proposed Rehabilitation of Richardson Hall, Woods Hall, and Woods Hall Annex]

Motion affirming the approval by the Historic Preservation Commission of a Certificate of Appropriateness to rehabilitate Richardson Hall for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall for use as housing; and to rehabilitate Woods Hall Annex for use as a community center.

WHEREAS, The 55 Laguna Mixed Use Project (55 Laguna project) Environmental Impact Report (EIR) was certified by the Planning Commission on January 17, 2008; and

WHEREAS, On January 17, 2008, the Planning Commission adopted findings under the California Environmental Quality Act, Pub. Res. Code §21000 et seq. (CEQA), the CEQA Guidelines, 14 Cal. Code Regs. § 15000 et seq., and Chapter 31 of the City's Administrative Code, including a statement of overriding considerations; adopted a Mitigation Monitoring and Reporting Program (MMRP) for the proposed project; and recommended approval of the 55 Laguna project to the Board of Supervisors; and

WHEREAS, On January 17, 2008, the Planning Commission also approved a Conditional Use Authorization for the 55 Laguna project; and

WHEREAS, On April 15, 2008, the Board of Supervisors approved the 55 Laguna project, adopting the Planning Commission's CEQA findings as its own, adopted the MMRP, and adopted additional findings under CEQA, which are on file with the Clerk of the Board of Supervisors in Files No. 071001, 071002, and 080319; and

WHEREAS, On March 27, 2012, Elisa Skaggs from Page and Turnbull filed an application with the San Francisco Planning Department for a Certificate of Appropriateness to rehabilitate Richardson Hall for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall for use as housing; and to rehabilitate Woods Hall Annex for use as a community center, all part of the 55 Laguna project; and

WHEREAS, Richardson Hall, Woods Hall and Woods Hall Annex are Landmarks No. 256, 257 and 258 under Article 10 of the City's Planning Code; and

WHEREAS, On May 8, 2012, the Planning Department published an addendum to the EIR; and

WHEREAS, On May 16, 2012, the Historic Preservation Commission conducted a duly noticed public hearing on the application for the Certificate of Appropriateness; reviewed the application, case reports, plans and other materials pertaining to the project contained in the Department's files, including the EIR and the Addendum; reviewed materials, heard and considered testimony from the public at the public hearing; and

WHEREAS, At the May 16, 2012 hearing, in Motion No. 0157, the Historic Preservation Commission granted a Certificate of Appropriateness to rehabilitate Richardson Hall for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall for use as housing; and to rehabilitate Woods Hall Annex for use as a community center, all part of the 55 Laguna project, in conformance with the architectural plans listed as Exhibit A on file on the docket for Case No. 2012.0033A, and subject to conditions listed in such Motion No. 0157; and

WHEREAS, In approving the Certificate of Appropriateness, the Historic Preservation Commission found that the proposed rehabilitation of Richardson Hall for use as senior services, senior housing, and retail and/or office space; the rehabilitation of Woods Hall for use as housing; and the rehabilitation Woods Hall Annex for use as a community center, all part of the 55 Laguna project, comply with Article 10 of the San Francisco Planning Code, inasmuch as the proposed work is compatible with the character of the landmark district as described in the designation report. The Commission also found that the proposed work is compatible with the Secretary of the Interior's Standards for Rehabilitation, and with San Francisco General Plan; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated June 15, 2012, Cynthia Servetnick, on behalf of Save the Laguna Street Campus (Appellant), filed an appeal of the Certicate of Appropriateness to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around June 15, 2012; and

WHEREAS, On July 10, 2012, this Board held a duly noticed public hearing to consider the appeal of the Certificate of Appropriateness filed by Appellant; and

WHEREAS, This Board has reviewed and considered the FEIR, the Addendum, the application files, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the Certificate of Appropriateness; and

WHEREAS, The EIR, the addendum, the application files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before this Board by reference in this motion; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Historic Preservation Commission in its Motion No. 0157 to grant a Certificate of Appropriateness to rehabilitate Richardson Hall for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall for use as housing; and to rehabilitate Woods Hall Annex for use as a community center, and it further affirms the Historic Preservation Commission's findings that the proposed rehabilitation complies with Article 10 of the San Francisco Planning Code, the Secretary of the Interior's Standards for Rehabilitation, and the San Francisco General Plan.

City and County of San Francisco
Tails
Motion: M12-097

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120727 **Date Passed:** July 31, 2012

Motion affirming the approval by the Historic Preservation Commission of a Certificate of Appropriateness to rehabilitate Richardson Hall for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall for use as housing; and to rehabilitate Woods Hall Annex for use as a community center.

July 10, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

July 31, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Absent: 1 - Olague

File No. 120727

I hereby certify that the foregoing Motion was APPROVED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

AMENDED IN BOARD
7/31/12

FILE NO. 120808 MOTION NO. M12-098

[Establishing Process for Official Misconduct Hearing]

Motion establishing a process, in accordance with Charter Section 15.105, for official misconduct hearings at the Board of Supervisors.

WHEREAS, Mayor Edwin Lee suspended Sheriff Ross Mirkarimi from the Office of Sheriff and filed written charges of official misconduct on March 21, 2012, seeking his removal from office; and

WHEREAS, Under Charter Section 15.105, when the Mayor suspends an elective officer, the Ethics Commission shall hold a hearing not less than five days after the filing of written charges. After the hearing, the Ethics Commission shall transmit the full record of the hearing to the Board of Supervisors with a recommendation as to whether the charges should be sustained; the Board of Supervisors shall have 30 days in which to handle this matter from the date it receives the full record from the Ethics Commission; and

WHEREAS, The Ethics Commission has been conducting hearings on said written charges in June, July, and August 2012 and, once finalized, will submit its recommendations to the Board of Supervisors for consideration pursuant to Charter Section 15.105; and

WHEREAS, Once the recommendations and full record are received from the Ethics Commission, the Clerk of the Board shall communicate such recommendations and transmit the full record to the Board and agendize consideration, with the Board sitting as a Committee of the Whole; and

WHEREAS, Pursuant to Charter Section 15.105, the Board of Supervisors shall have 30 days in which to handle this matter from the date it receives the full record from the Ethics Commission; and

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WHEREAS, Once agendized, the Clerk of the Board will notify all parties and provide parties with an opportunity to submit a written response to the Ethics Commission's recommendations; and

WHEREAS, Agenda materials may include, but are not limited to, the findings and recommendations made by the Ethics Commission which consist of papers filed with the Ethics Commission by attorneys representing the Mayor and the Sheriff, and such other materials; and, be it

MOVED, That the Board of Supervisors shall establish the following process for such hearing:

1. Provide the Ethics Commission with an opportunity to make an oral presentation explaining its recommendations, and should the Commission choose to make such a presentation, it should not exceed 10 minutes.
2. Provide the parties with an opportunity to make oral presentations to the Board as follows:
    a. As the charging party, the Mayor will go first, with a presentation not to exceed 20 minutes.
    b. The Sheriff will then make a presentation not to exceed 20 minutes.
    c. The Mayor will then have the opportunity to respond to the Sheriff's presentation, not to exceed five minutes.
3. Provide for Public Comment.
4. Deliberate.
5. Make a decision.

City and County of San Francisco

Tails

Motion: M12-098

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120808 **Date Passed:** July 31, 2012

Motion establishing a process, in accordance with Charter Section 15.105, for official misconduct hearings at the Board of Supervisors.

July 31, 2012 Board of Supervisors - AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

July 31, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120808

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

AMENDED IN BOARD
7/31/12

FILE NO. 120809

MOTION NO. M12-099

[Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 6, 2012, Consolidated General Municipal Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 6, 2012, Consolidated General Municipal Election.

WHEREAS, The Board of Supervisors wishes to authorize the Board Member(s) and/or sponsor(s) of the following ballot measures to prepare and submit a written proponent ballot argument and proponent rebuttal argument for submittal to the Director of Elections:

- Consolidating Odd-Year Municipal Elections – Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, and Article XVII to: 1) change the election cycle for the offices of City Attorney and Treasurer so that these offices will be elected in the same years as the elections for the offices of Mayor, District Attorney, and Sheriff; and 2) to amend the definition of general municipal election so that such elections occur only in even-numbered years and every other odd-numbered year. (Supervisor Wiener)

- San Francisco Housing Trust Fund – Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.110 to: 1) create a San Francisco Housing Trust Fund by setting aside general fund revenues beginning in FY2013-2014 and ending in FY2042-2043 to create, acquire and rehabilitate affordable housing and promote affordable home ownership programs in the City; and 2) lower and stabilize the impacts of affordable housing regulatory impositions on

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private residential projects; and to authorize the development of up to 30,000 affordable rental units in the City under Article 34 of the California Constitution. (Mayor)

- Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax – Motion ordering submitted to the voters an "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately $28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012. (Supervisor Chiu)

- San Francisco Clean and Safe Neighborhood Parks - $195,000,000 – Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2012, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: $195,000,000 for the construction, reconstruction, renovation, demolition, environmental remediation and/or improvement of park, open space, and recreation facilities and all other structures, improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; making environmental findings and findings of consistency with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code. (Mayor)

- Motion ordering submitted to the voters a policy declaration that supports limits on political campaign contributions and spending; and opposes artificial corporate rights, and giving corporations the same rights entitled to human beings, at an election to be held on November 6, 2012. (Supervisor Avalos)

WHEREAS, The Board of Supervisors wishes to authorize the Board Member(s) opposed to the following ballot measure to prepare and submit a written opponent ballot argument and rebuttal ballot argument for submittal to the Director of Elections:

- Water and Environment Plan – Ordinance amending the San Francisco Administrative Code by adding Chapter 116 relating to the Water Sustainability and Environmental Restoration Plan. (Supervisor Elsbernd)

WHEREAS, The Board Member(s) authorized to submit the opponent ballot arguments, will submit the argument to the Director of Elections no later than the deadline of noon, August 16, 2012, and the respective rebuttal ballot argument no later than noon, August 20, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby authorizes the Board Member(s) and/or sponsor(s) and designated opponent(s) of each measure, as listed above, under the provisions of the San Francisco Elections Code Sections 530 and 550, to prepare and submit a written opponent ballot argument and respective rebuttal ballot arguments on their measures; and, be it

FURTHER MOVED, That the Board Member(s) and/or sponsor(s) and opponent(s) of measures submitted to the voters for the November 6, 2012, Consolidated General Municipal Election, who are authorized by this motion to prepare and submit arguments, may authorize or assign to any other person(s) under the provisions of the San Francisco Elections Code

Sections 530 and 550 (c) and (d) the right to prepare and submit the proponent or opponent's ballot arguments and/or respective rebuttal arguments.

City and County of San Francisco
Tails
Motion: M12-099

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120809 **Date Passed:** July 31, 2012

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 6, 2012, Consolidated General Municipal Election.

July 31, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

July 31, 2012 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120809

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 7/31/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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FILE NO. 120834 JUL 22 2013 MOTION NO. M12 - 100

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[Findings - 601 Dolores Street, Approval with Different and Modified Conditions]

Motion adopting findings supporting the Board of Supervisors decisions to: 1) disapprove the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street; and 2) approve conditional use on property located at 601 Dolores Street subject to the conditions set forth in Planning Commission Motion No. 18604, as modified by the Board of Supervisors on July 24, 2012, and subject to additional conditions imposed by the Board on July 24, 2012.

WHEREAS, The appellant, Elisabeth Erhardt, Rutan Attorneys at Law, on behalf of Lisa Nahmanson and Sandra Steele, filed a timely appeal on May 29, 2012, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2011.0584CV), approved by Planning Commission Motion No. 18604, dated April 26, 2012, pursuant to Planning Code Sections 209.3(g), 303 and 317, to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School", within an RH-3 (Residential House, Three-Family) Zoning District, on property located at 601 Dolores Street, Assessor's Block No. 3598, Lot No. 060.

WHEREAS, On July 24, 2012, the Board of Supervisors conducted a duly noticed public hearing on the appeal from the Planning Commission's approval of the conditional use authorization referred to in the first paragraph of this motion. Following the conclusion of the public hearing on July 24, 2012, the appellant and project sponsor represented to the Board of Supervisors that they had reached agreement regarding the project and the appeal and that if certain conditions of the Conditional Use Authorization were modified, and if a certain additional condition was added, appellants would not challenge the project;

WHEREAS, In light of the representations by the parties, and in reliance thereon, the Board voted to disapprove the decision of the Planning Commission (Planning Commission Motion No. 18604, dated April 26, 2012) and denied the issuance of the requested Conditional Use Application No. 2011.0584CV, by a vote of 10-0. The Board then moved, by a vote of 10-0, to authorize conditional use as set forth in the decision of the Planning Commission by its Motion No. 18604, Planning Case No. 2011.0584CV, except that conditions 8 and 9 in said motion were superseded by the conditions 8 and 9, set forth below, and condition 10 was added, as set forth below:

8. Hours of Operation on Roof Deck.

(a) School Day Hours and Occupancy Limitations:

The deck may be used Monday – Friday, with the following Occupancy Limits

9:00 AM – 11:00 AM: Maximum occupancy of 53;

11:00 AM –1:00 PM (Lunch Only Hours): Maximum occupancy of 91;

1:00 PM – 3:30 PM: Maximum occupancy of 53;

3:30 PM – 5:00 PM; Maximum occupancy of 25

For the 9:00 AM -11:00 and 1:00 PM – 5:00 PM hours, there would be a cap of 20 hours per week

For the 11:00 AM – 1 PM Lunch, it will only be allowed 3 days/week. The other: Two days the deck will be unoccupied during those hours.

These hours of operation for the roof deck are for those weeks of the regular school program schedule as posted in the published annual calendar.

(b) Weekend/Night Usage:

A maximum of 6 weekend or evening events per year (between 6:00 PM – 9:00 PM). A two-week notification must be provided by CDS to the Neighbors via email to Landon Gates jlandongates@gmail.com; Sandra Steele ssteele@permitme.net. Maximum capacity is 91.

(c) Summertime Usage.

9:00 AM – 5:00 PM Deck Usage, with a 25 person maximum occupancy and 20 hour weekly cap. These hours of operation for the roof deck are for those weeks of the summer school program schedule as posted in the published annual calendar.

Summer school program is that formal scholastic program offered by CDS on set weeks between the end of the normal School Year and the beginning of the following School Year. The School Year typically starts the week after Labor Day and typically ends the second week of June.

9. Mechanical Equipment, Rooftop Improvements, and Use of Deck

(a) Mechanical Room will remain in the location shown in latest drawings dated July 2, 2012.

No additional mechanical equipment other than shown in the drawings, dated 7/2/12, is contemplated at this time. Should any new mechanical equipment be required for future code compliance for the school's continued usage and/or as a result of changes in the Building Codes of the City and County of San Francisco then neighbors shall be given 45-days written notice prior to the application of any building permit to construct such new equipment on the roof. Neighbors reserve all rights to oppose placement of new or additional mechanical systems on to rooftop. In the event that different mechanical systems are desired during the design phase which were not contemplated and depicted in the 7/2/12 drawings, then CDS shall provide the neighbors advanced notice of their desire to modify the mechanical systems. Provided the new systems do not generate more noise, emissions, or vibrations than the ones depicted in the 7/2/12 plans and do not require housing in a larger or taller structure than the one depicted in the 7/2/12 drawings, then the neighbors will not oppose the modification.

The new location of the Mechanical Room as defined herein has not been approved by the Zoning Administrator and may require a variance to comply with the Planning Code. The adoption of these conditions shall not supersede the authority of the Zoning Administrator to approve this relocation.

(b) A roof deck, with an associated new stairwell/elevator penthouse, shall be constructed consistent with the drawings dated July 2.2012; This shows a smaller deck than that shown on the Conditional Use Application Drawings and it is pulled back from both the Eastern and Southern edges of the roof.

(c) The only mechanical equipment will be two high-efficiency boilers and two pumps within an enclosed mechanical room as depicted in the drawings dated July 2, 2012, and also an exhaust fan for building ventilation. Specifications have been provided on these items, as well as a discussion on how they will meet allowable noise standards. One water heater has been moved from the roof into the building.

(d) The elevator is provided for ADA compliance and will not be available for regular use by students and staff. The elevator will be used only for those requiring physical assistance or freight purposes.

(e) The railings surrounding the roof deck will be 60 inches tall, and made of clear safety glass, to be constructed with minimal openings to assist in sound containment from rooftop usage.

(f) Planter boxes and/or benches on the roof deck must be a minimum of 3 feet away from the railings (railings remain where they are). Latest Plans shows benches completely removed.

(g) Plants may not be any taller than 72 inches from the surface of the deck.

(h) No amplified sound allowed from the roof deck at any hour.

(i) No awnings, heating devices, and/or umbrellas will be allowed on deck.

(j) No 3rd party usage of the deck shall be allowed (3rd party shall mean all attendees as well as hosts of events must be associated with the school) No renting, lending or bartering the deck space to CDS community or others for functions unrelated to operation of the school.

(k) No alcohol can be served or consumed on the roof deck. Also no smoking allowed

(l) Roof deck cannot be used for recess or gym. Only instructional use and lunches will be allowed (lunches subject to three days a week limit).

(m) CDS to provide the neighbors with a 24 hour point of contact for any neighbor concerns.

(n) CDS to hold quarterly meetings with the neighbors to discuss any concerns the neighbors might have regarding school activities and explore methods for resolving those concerns.

(o) No lighting shall be installed on deck. Only the minimum amount of lighting required by egress code.

(p) No children may use the deck without adult supervision on the deck.

10. Additional Permit Approvals and Authorizations, Notice to Appellants.

The Appellants shall not, directly or indirectly, contest the issuance of buildings permits, variances or other governmental approvals that may be required to construct the plans for the Project as contemplated and proposed in the 7/2/12 drawings as further modified by the agreements contained herein. To the extent to which the applications for building permits, variances or other governmental approvals pertain to matters beyond those addressed in the mediation between CDS and the Appellants, the Appellants right to object to that portion of the building permits, variances or other governmental approvals are reserved. CDS shall provide prior notice of any buildings permits, variances or other governmental approvals which fall outside of the matters negotiated by the parties SF 1360045v3 to attempt to resolve the concerns of Appellants and avoid any formal challenges by the neighbors.

The parties will negotiate any potential conflicts in good faith; and

WHEREAS, The Board of Supervisors, on July 24, 2012, affirmed the determination of the Planning Commission that the project that is the subject of these findings was exempt from environmental review under Categorical Exemption, Class 32 [State CEQA Guidelines Section 15332];

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 18604, dated April 26, 2012; and be it

FURTHER MOVED, That the Board of Supervisors finds that there have been no substantial changes in project circumstances and no new information of substantial importance that would change the determination of categorical exemption issued by the Planning Commission and affirmed by the Board of Supervisors.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion: M12-100

File Number: 120834 **Date Passed:** September 04, 2012

Motion adopting findings supporting the Board of Supervisors decisions to: 1) disapprove the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street; and 2) approve conditional use on property located at 601 Dolores Street subject to the conditions set forth in Planning Commission Motion No. 18604, as modified by the Board of Supervisors on July 24, 2012, and subject to additional conditions imposed by the Board on July 24, 2012.

September 04, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120834

I hereby certify that the foregoing Motion was APPROVED on 9/4/2012 by the Board of Supervisors of the City and County of San Francisco.

A Calvillo

Angela Calvillo
Clerk of the Board

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FILE NO. 120835 JUL 22 2013 MOTION NO. M12-101

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[Findings - 3901-24th Street Disapproving Conditional Use Authorization]

Motion adopting findings supporting the Board's decision to disapprove the decision of the Planning Commission by its Motion No. 18648, approving Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901 – 24th Street.

WHEREAS, The appellant Leslie Crawford filed a timely appeal on February 12, 2012, protesting the approval by the Planning Commission by its Motion No. 18648, dated June 14 2012, approving a Conditional Use Authorization identified as Planning Case No. 2011.1372C. under Planning Code Sections 728.49 and 790.110 to convert a vacant ground floor commercial space into a financial service (d.b.a. First Republic Bank) within the 24th Street – Noe Valley Neighborhood Commercial District and a 40-X Height and Bulk District on property located at 3901 – 24th Street, Assessor's Block No. 6508, Lot No. 001; said appeal was subscribed by Supervisors Wiener, Olague, Avalos, Mar, and Chiu; and

WHEREAS, On July 30, 2012, the Board of Supervisors received a letter from Joe Petitti, Executive Vice President of First Republic Bank, which provided that First Republic Bank "hereby is withdrawing its application for a Conditional Use Authorization for 3901 – 24th Street, (Planning Case N. 2011.1372c)"; and

WHEREAS, On July 31, 2012, the Board of Supervisors conducted a duly noticed public hearing on the appeal from the Planning Commission's approval of the conditional use authorization referred to in the first paragraph of this motion; and

WHEREAS, Following the conclusion of the public hearing on July 31, 2012, no members of the public having commented, and no objection having been made to the withdrawal by First Republic of the application for Conditional Use Authorization, the Board voted to disapprove the decision of the Planning Commission by a vote of 11-0; now, therefore be it

MOVED, That the Board of Supervisors finds that the decision of the Planning Commission in its Motion No. 18648 dated June 14, 2012, approving a Conditional Use Authorization identified as Planning Case No. 2011.1372C, is denied on the ground that the project sponsor, First Republic Bank, withdrew its application for said Conditional Use Authorization.

City and County of San Francisco

Tails

Motion: M12-101

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120835 **Date Passed:** September 04, 2012

Motion adopting findings supporting the Board's decision to disapprove the decision of the Planning Commission by its Motion No. 18648, approving Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street.

September 04, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120835

I hereby certify that the foregoing Motion was APPROVED on 9/4/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

GOVERNMENT
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FILE NO. 120263 MOTION NO. M12-102

JUL 22 2013

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[Affirming the Exemption Determination - 1100 Lombard Street]

Motion affirming the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review.

WHEREAS, On or about February 3, 2012, the Planning Department determined that a proposal to create a new firewall on the 1100 Lombard Street property was exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter 31 as a Class 1 categorical exemption, a minor alteration to an existing structure (the "exemption determination"). By letter to the Clerk of the Board dated March 20, 2012, Christa Shaw, on behalf of the John Sperling Irrevocable Trust, owner of 2323 Hyde Street ("Appellant"), appealed the exemption determination; and

WHEREAS, on May 1, 2012, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant, and following the public hearing affirmed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 120262 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project qualifies for a exemption determination under CEQA Guidelines Section 15301 and affirms the determination of the Planning Department .

City and County of San Francisco
Tails
Motion: M12-102

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120263 **Date Passed:** September 04, 2012

Motion affirming the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review.

May 01, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

May 22, 2012 Board of Supervisors - CONTINUED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague and Wiener
Absent: 1 - Elsbernd

July 17, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

September 04, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120263

I hereby certify that the foregoing Motion was APPROVED on 9/4/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

GOVERNMENT
DOCUMENTS DEPT

FILE NO. 120782 JUL 22 2013 MOTION NO. M12 - 103

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[Affirming the Exemption Determination - 2853-2857 Broderick Street]

Motion affirming the determination by the Planning Department that a project located at 2853-2857 Broderick Street is exempt from environmental review.

WHEREAS, The Planning Department has determined that a project located at 2853-2857 Broderick Street is exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31. The proposed project involves raising the building by approximately three feet to insert a garage at ground level, expanding the ground floor level and creating a new curb cut. By letter to the Clerk of the Board, Kate Polevoi, on behalf of Zeeva Kardos, Irving Zaretsky, Craig Jones, Michael Jaeger, Eric and Kelda Reimers, Rob and Jennifer Povlitz, and Don and Ann Morehead (Appellants), received by the Clerk's Office on July 10, 2012, appealed the exemption determination. The Appellants provided a copy a Certificate of Determination, Exemption From Environmental Review, issued by the Planning Department on July 3, 2011, finding the proposed project exempt from environmental review under CEQA Guidelines Class 1 (14 Cal. Code. Regs. §15301); and

WHEREAS, On September 4, 2012, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellants, and following the public hearing affirmed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 120781 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination; and be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial project changes, no substantial changes in project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the proposed project is exempt from environmental review; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the project qualifies for a exemption determination under CEQA.

City and County of San Francisco
Tails
Motion: M12-103

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120782 **Date Passed:** September 04, 2012

Motion affirming the determination by the Planning Department that a project located at 2853-2857 Broderick Street is exempt from environmental review.

September 04, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120782

I hereby certify that the foregoing Motion was APPROVED on 9/4/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title - 9/6/12

FILE NO. 120871 MOTION NO. M12-104

[Reappointment - Board of Appeals]

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2016.

WHEREAS, Pursuant to Charter Section 4.106, the Board President has submitted a letter notifying the Clerk of the Board of Supervisors of the nomination of Arcelia Hurtado to the Board of Appeals, received by the Clerk of the Board on August 29, 2012; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the President's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the President's reappointment of Arcelia Hurtado to the Board of Appeals for the unexpired portion of the term ending July 1, 2016.

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City and County of San Francisco
Tails
Motion: M12-104

File Number: 120871 **Date Passed:** September 11, 2012

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2016.

September 06, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

September 06, 2012 Rules Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

September 11, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120871

I hereby certify that the foregoing Motion was APPROVED on 9/11/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120870 MOTION NO. M12-105

[Appointments, Lesbian, Gay, Bisexual and Transgender (LGBT) Seniors Task Force]

Motion appointing Ashley McCumber, Daniel Redman, Felicia Elizondo, Jazzie Collins, Jorge Rodriguez, Kaushik Roy, Larry Saxxon, Laurence Michael Costa, Marcy Adelman, Michelle Alcedo, Perry Lang, Scott Haitsuka, Stuart Smith, Tommi Mecca, and William Ambrunn, for indefinte terms, to the Lesbian, Gay, Bisexual and Transgender (LGBT) Seniors Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the LGBT Seniors Task Force, pursuant to the provisions of the San Francisco Administrative Code, Chapter 5, Article XII, Sections 5.110 through 5.115, for the terms specified:

Ashley McCumber, seat 1, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Daniel Redman, seat 2, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Felicia Elizondo, seat 3, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Jazzie Collins, seat 4, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Jorge Rodriguez, seat 5, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an

GOVERNMENT
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indefinite term.

Kaushik Roy, seat 6, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Larry Saxxon, seat 7, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Laurence Michael Costa, seat 8, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Marcy Adelman, seat 9, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Michelle Alcedo, seat 10, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Perry Lang, seat 11, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Scott Haitsuka, seat 12, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Stuart Smith, seat 13, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

Tommi Mecca, seat 14, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

William Ambrunn, seat 15, new appointment, must be an LGBT senior, aging adult or person with expertise or experience working on issues affecting LGBT seniors, for an indefinite term.

City and County of San Francisco
Tails
Motion: M12-105

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120870 **Date Passed:** September 18, 2012

Motion appointing Ashley McCumber, Daniel Redman, Felicia Elizondo, Jazzie Collins, Jorge Rodriguez, Kaushik Roy, Larry Saxxon, Laurence Michael Costa, Marcy Adelman, Michelle Alcedo, Perry Lang, Scott Haitsuka, Stuart Smith, Tommi Mecca, and William Ambrunn, for indefinte terms, to the Lesbian, Gay, Bisexual and Transgender (LGBT) Seniors Task Force.

September 06, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

September 06, 2012 Rules Committee - RECOMMENDED..

September 18, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120870

I hereby certify that the foregoing Motion was APPROVED on 9/18/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120879 **MOTION NO.** M12-106

[Reappointment - Peninsula Corridor Joint Powers Board]

Motion reappointing Supervisor Malia Cohen, term ending June 30, 2014, to the Peninsula Corridor Joint Powers Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby reappoint the hereinafter designated person to serve as a member of the Peninsula Corridor Joint Powers Board for the term specified:

Supervisor Malia Cohen, seat 1, must be appointed by the Board of Supervisors. for the unexpired portion of a two-year term ending June 30, 2014.

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City and County of San Francisco
Tails
Motion: M12-106

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 120879 **Date Passed:** September 18, 2012

Motion reappointing Supervisor Malia Cohen, term ending June 30, 2014, to the Peninsula Corridor Joint Powers Board.

September 06, 2012 Rules Committee - RECOMMENDED

September 18, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Cohen

File No. 120879

I hereby certify that the foregoing Motion was APPROVED on 9/18/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title – 9/20/12

FILE NO. 120872 **MOTION NO.** M12-107

[Reappointment - Public Utilities Commission - Ann Moller Caen]

Motion approving the Mayor's reappointment of Ann Moller Caen, to the Public Utilities Commission, Seat No. 3, for the unexpired portion of a four-year term ending August 1, 2016.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of Ann Moller Caen to the Public Utilities Commission, received by the Clerk of the Board on August 21, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Ann Moller Caen to the Public Utilities Commission, Seat No. 3, must be a member with experience in project finance, for the unexpired portion of a four-year term ending August 1, 2016.

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Tails

Motion: M12-107

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120872 **Date Passed:** September 25, 2012

Motion approving the Mayor's reappointment of Ann Moller Caen, to the Public Utilities Commission, Seat No. 3, for the unexpired portion of a four-year term ending August 1, 2016.

September 20, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

September 20, 2012 Rules Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

September 25, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120872

I hereby certify that the foregoing Motion was APPROVED on 9/25/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title – 9/20/12

FILE NO. 120873 MOTION NO. M12-108

[Reappointment, Public Utilities Commission - Francesca Vietor]

Motion approving the Mayor's reappointment of Francesca Vietor, to the Public Utilities Commission, Seat No. 1, for the unexpired portion of a four-year term ending August 1, 2016.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of Francesca Vietor to the Public Utilities Commission, received by the Clerk of the Board on August 21, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Francesca Vietor to the Public Utilities Commission, Seat 1, must be a member with experience in environmental policy and an understanding of environmental justice issues, for the unexpired portion of a four-year term ending August 1, 2016.

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Tails

Motion: M12-108

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 120873 **Date Passed:** September 25, 2012

Motion approving the Mayor's reappointment of Francesca Vietor, to the Public Utilities Commission, Seat No. 1, for the unexpired portion of a four-year term ending August 1, 2016.

September 20, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

September 20, 2012 Rules Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

September 25, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120873

I hereby certify that the foregoing Motion was APPROVED on 9/25/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title – 9/20/12

FILE NO. 120874 MOTION NO. M12-109

[Reappointment, Public Utilities Commission - Vince Courtney]

Motion approving the Mayor's reappointment of Vince Courtney, to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2016.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the reappointment of Vince Courtney to the Public Utilities Commission, received by the Clerk of the Board on August 21, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Vince Courtney to the Public Utilities Commission, Seat No. 5, must be a member at-large, for the unexpired portion of a four-year term ending August 1, 2016.

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Tails
Motion: M12-109

City Hall
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File Number: 120874 **Date Passed:** September 25, 2012

Motion approving the Mayor's reappointment of Vince Courtney, to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2016.

September 20, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

September 20, 2012 Rules Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

September 25, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120874

I hereby certify that the foregoing Motion was APPROVED on 9/25/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120941 MOTION NO. M12-110

[Committee of the Whole – Hearing on the Successor Agency to the Former Redevelopment Agency]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 25, 2012, at 3:00 p.m., to hold a public hearing on the Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for

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JUL 22 2013
SAN FRANCISCO

the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on September 25, 2012, at 3:00 p.m. to hear a Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco;" 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligation and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the

Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

City and County of San Francisco
Tails
Motion: M12-110

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120941 **Date Passed:** September 25, 2012

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 25, 2012, at 3:00 p.m., to hold a public hearing on the Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

September 25, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120941

I hereby certify that the foregoing Motion was APPROVED on 9/25/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 120948 MOTION NO. M12-111

[Committee of the Whole - Public Hearing - Official Misconduct Filed by Mayor Edwin Lee Against Sheriff Ross Mirkarimi]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole for a Special Meeting on October 9, 2012, at 2:00 p.m., to hold a public hearing on the matter related to the charges of official misconduct filed by Mayor Edwin Lee against Sheriff Ross Mirkarimi pursuant to Charter Section 15.105.

MOVED, That the Board of Supervisors convene as a Committee of the Whole for a Special Meeting on October 9, 2012, at 2:00 p.m. to hold a public hearing on the matter related to the charges of official misconduct filed by Mayor Edwin Lee against Sheriff Ross Mirkarimi pursuant to Charter Section 15.105.

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City and County of San Francisco

Tails

Motion: M12-111

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120948 **Date Passed:** September 25, 2012

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole for a Special Meeting on October 9, 2012, at 2:00 p.m., to hear the matter related to the charges of official misconduct filed by Mayor Edwin Lee against Sheriff Ross Mirkarimi pursuant to Charter Section 15.105.

September 25, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

September 25, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120948

I hereby certify that the foregoing Motion was APPROVED on 9/25/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120945 **MOTION NO.** M12-112

[Final Map 6450 - 626-628 Natoma Street]

Motion approving Final Map 6450, a Five Unit Residential Condominium Project, located at 626 – 628 Natoma Street being a subdivision of Lot 048 in Assessors Block No. 3727 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 6450", comprising 3 sheets, approved August 31, 2012, by Department of Public Works Order No. 180,621 is hereby approved and said map is adopted as an Official Final Map 6450; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated November 8, 2011, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Mohammed Nuru
Director of Public Works

DESCRIPTION APPROVED:

Bruce St

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-112

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120945 **Date Passed:** September 25, 2012

Motion approving Final Map 6450, a Five Unit Residential Condominium Project, located at 626-628 Natoma Street being a subdivision of Lot 048 in Assessors Block No. 3727 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

September 25, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120945

I hereby certify that the foregoing Motion was APPROVED on 9/25/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 120946 MOTION NO. M12-113

[Final Map 7042 - 750-2nd Street]

Motion approving Final Map 7042, a One Lot Merger and Resubdivision and a 14 Residential Unit & 1 Commercial Unit Mixed-Use Condominium Project, located at 750 2nd Street being a subdivision of Lot 002A in Assessors Block No. 3794 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 7042", comprising 2 sheets, approved August 29, 2012, by Department of Public Works Order No. 180,615 is hereby approved and said map is adopted as an Official Final Map 7042; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated April 4, 2012, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

GOVERNMENT
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JUL 22 2013
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RECOMMENDED:	DESCRIPTION APPROVED:
Mohammed Nuru	Bruce R. Storrs, PLS
Director of Public Works	City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-113

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120946 **Date Passed:** September 25, 2012

Motion approving Final Map 7042, a One Lot Merger and Resubdivision and a 14 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 750-2nd Street being a subdivision of Lot 002A in Assessors Block No. 3794 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

September 25, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120946

I hereby certify that the foregoing Motion was APPROVED on 9/25/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120947 **MOTION NO.** M12-114

[Final Map 6431 - 55 Trumbull Street, 4 Craut Street]

Motion approving Final Map 6431, a Two Lot Subdivision and 18 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 55 Trumbull Street, 4 Craut Street being a subdivision of Lot 006 & 007 in Assessors Block No. 5868, and a portion of Lot 034 in Assessor's Block No. 5867, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 6431", comprising 3 sheets, approved August 29, 2012, by Department of Public Works Order No. 180,616 is hereby approved and said map is adopted as an Official Final Map 6431; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated February 3, 2012, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Mohammed Nuru

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco

Tails

Motion: M12-114

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120947 **Date Passed:** September 25, 2012

Motion approving Final Map 6431, a Two Lot Subdivision and 18 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 55 Trumbull Street, 4 Craut Street being a subdivision of Lot 006 & 007 in Assessors Block No. 5868, and a portion of Lot 034 in Assessor's Block No. 5867, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

September 25, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120947

I hereby certify that the foregoing Motion was APPROVED on 9/25/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120921 **MOTION NO.** M12-115

[Appointment - Child Care Planning and Advisory Council]

Motion appointing Alli Cuentos, term ending March 19, 2015, to the Child Care Planning and Advisory Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Child Care Planning and Advisory Council, pursuant to the provisions of the San Francisco Administrative Code, Section 5.200, and California Education Code, Sections 8499-8499.8, for the term specified:

Alli Cuentos, seat 9, succeeding Heidi McLaughlin, must be nominated by District 9 Supervisor, for the unexpired portion of a three-year term ending March 19, 2015.

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City and County of San Francisco
Tails
Motion: M12-115

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120921 **Date Passed:** October 02, 2012

Motion appointing Alli Cuentos, term ending March 19, 2015, to the Child Care Planning and Advisory Council.

September 20, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

September 20, 2012 Rules Committee - RECOMMENDED..

October 02, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120921

I hereby certify that the foregoing Motion was APPROVED on 10/2/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120925 MOTION NO. M12-116

[Appointment, Entertainment Commission]

Motion appointing Naomi Akers, term ending July 1, 2013, to the Entertainment Commission.

WHEREAS, Pursuant to Charter Section 4.117, the Board of Supervisors shall appoint three members to the Entertainment Commission; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint Naomi Akers to serve as its representative to the Entertainment Commission.

Naomi Akers, seat 3, succeeding Neal Cavellini, resigned, shall represent the interests of the public health community, for the unexpired portion of a four-year term ending July 1, 2013.

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City and County of San Francisco
Tails
Motion: M12-116

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120925 **Date Passed:** October 02, 2012

Motion appointing Naomi Akers, term ending July 1, 2013, to the Entertainment Commission.

September 20, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

September 20, 2012 Rules Committee - RECOMMENDED..

October 02, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120925

I hereby certify that the foregoing Motion was APPROVED on 10/2/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120927 MOTION NO. M12-117

[Appointments, Wage Theft Task Force]

Motion appointing Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik, terms to be determined, the Wage Theft Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Wage Theft Task Force, pursuant to the provisions of Board of Supervisors Ordinance No. 102-12, for the terms specified:

Ace Wiseman, seat 1, new appointment, must be a person with significant experience confronting the issue of wage theft, who works at, serves on the Board of Directors of, or is a member of a non-profit community-based organization that organizes or represents low-wage works, for a one-year term to be determined.

Charlotte Noss, seat 2, new appointment, must be a person with significant experience confronting the issue of wage theft, who works at, serves on the Board of Directors of, or is a member of a non-profit community-based organization that organizes or represents low-wage works, for a one-year term to be determined.

Terrence Valen, seat 3, new appointment, must be a person with significant experience confronting the issue of wage theft, who works at, serves on the Board of Directors of, or is a member of a non-profit community-based organization that organizes or represents low-wage works, for a one-year term to be determined.

Shaw San Liu, seat 4, new appointment, must be a person with significant experience confronting the issue of wage theft, who works at, serves on the Board of Directors of, or is a

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member of a non-profit community-based organization that organizes or represents low-wage works, for a one-year term to be determined.

Tina Liang Chen, seat 5, new appointment, must be a person who works at a labor union and who has experience with an industry where widespread wage theft occurs or has occurred, for a one-year term to be determined.

Dawn Huston, seat 6, new appointment, must be a person representing responsible business(es) or employer(s) in San Francisco in an industry where wage theft is prevalent, for a one-year term to be determined.

Karen Heisler, seat 7, new appointment, must be a person representing responsible business(es) or employer(s) in San Francisco in an industry where wage theft is prevalent, for a one-year term to be determined.

Mani Sheik, seat 8, new appointment, must be a person representing responsible business(es) or employer(s) in San Francisco in an industry where wage theft is prevalent, for a one-year term to be determined.

City and County of San Francisco
Tails
Motion: M12-117

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120927 **Date Passed:** October 02, 2012

Motion appointing Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik, terms to be determined, to the Wage Theft Task Force.

September 20, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

September 20, 2012 Rules Committee - RECOMMENDED..

October 02, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120927

I hereby certify that the foregoing Motion was APPROVED on 10/2/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120867 MOTION NO. M12-118

[Approving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]

Motion approving the Planning Commission's decision, by its Motion No. 18674, approving the Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission's July 26, 2012, Conditional Use Authorization identified as Planning Case No. 2012.0348C, by its Motion No. 18674 under Planning Code Sections 209.3(f) and 303, to allow a child care facility for 15 or more children (dba Alpha Kids Academy) within an RH-1(D) (Residential, One-Family, Detached) District, and a 40-X Height and Bulk District, on property located at:

175 Junipero Serra Boulevard, Assessor's Block No. 3250, Lot No. 006,

be and the same is approved.

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City and County of San Francisco

Tails

Motion: M12-118

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120867 **Date Passed:** October 02, 2012

Motion approving the Planning Commission's decision, by its Motion No. 18674, approving the Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

September 18, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

October 02, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener
Excused: 1 - Farrell

File No. 120867

I hereby certify that the foregoing Motion was APPROVED on 10/2/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120858 MOTION NO. M12-119

[Appointments, Commission of Animal Control and Welfare - Annemarie Fortier, Susanna Russo, and Shari B. O'Neill]

Motion appointing Annemarie Fortier, Susanna Russo, and Shari B. O'Neill, terms ending April 30, 2014, to the Commission of Animal Control and Welfare.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Commission of Animal Control and Welfare, pursuant to the provisions of San Francisco Health Code Section 41.1, for the terms specified:

Annemarie Fortier, succeeding Geneva Page, seat 1, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2014.

Susanna Russo, succeeding herself, seat 2, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2014.

Shari B. O'Neill, succeeding John Aldridge, seat 7, term expired, must be a licensed veterinarian, for the unexpired portion of a two-year term ending April 30, 2014.

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City and County of San Francisco
Tails
Motion: M12-119

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120858 **Date Passed:** October 16, 2012

Motion appointing Annemarie Fortier, Susanna Russo, and Shari B. O'Neill, terms ending April 30, 2014, to the Commission of Animal Control and Welfare.

October 04, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 04, 2012 Rules Committee - RECOMMENDED

October 16, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120858

I hereby certify that the foregoing Motion was APPROVED on 10/16/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120954 **MOTION NO.** M12-120

[Appointment, Graffiti Advisory Board - Paul Giusti]

Motion appointing Paul Giusti, term ending April 10, 2013, to the Graffiti Advisory Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Graffiti Advisory Board, pursuant to the provisions of San Francisco Administrative Code Section 5.170, for the term specified:

Paul Giusti, succeeding himself, seat 15, term expired, must represent a business that operates in San Francisco, for the unexpired portion of a two-year term ending April 10, 2013.

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City and County of San Francisco
Tails
Motion: M12-120

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120954 **Date Passed:** October 16, 2012

Motion appointing Paul Giusti, term ending April 10, 2013, to the Graffiti Advisory Board.

October 04, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 04, 2012 Rules Committee - RECOMMENDED

October 16, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120954

I hereby certify that the foregoing Motion was APPROVED on 10/16/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 120956 **MOTION NO.** M12-121

[Appointments, Immigrant Rights Commission - Vera Haile, Haregu Gaime, Teresa Chee, and Elahe Enssani]

Motion appointing Vera Haile, Haregu Gaime, Teresa Chee, and Elahe Enssani, terms ending June 6, 2014, to the Immigrant Right Commission.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Immigrant Rights Commission, pursuant to the provisions of Ordinance No. 211-97, for the term specified:

Vera Haile, succeeding herself, seat 1, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2014.

Haregu Gaime, succeeding herself, seat 2, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2014.

Teresa Chee, succeeding herself, seat 5, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2014.

Elahe Enssani, succeeding herself, seat 9, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service

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educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2014.

City and County of San Francisco
Tails
Motion: M12-121

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120956 **Date Passed:** October 16, 2012

Motion appointing Vera Haile, Haregu Gaime, Teresa Chee, and Elahe Enssani, terms ending June 6, 2014, to the Immigrant Right Commission.

October 04, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 04, 2012 Rules Committee - RECOMMENDED

October 16, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120956

I hereby certify that the foregoing Motion was APPROVED on 10/16/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120977 MOTION NO. M12-122

[Appointment, Sunshine Ordinance Task Force - Bruce Oka]

Motion appointing Bruce Oka, term ending April 27, 2013, to the Sunshine Ordinance Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Sunshine Ordinance Task Force, pursuant to the provisions of the San Francisco Administrative Code, Section 67.30, for the term specified:

Bruce Oka, succeeding Jackson West, seat 11, resigned, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2013.

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City and County of San Francisco
Tails
Motion: M12-122

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120977 **Date Passed:** October 16, 2012

Motion appointing Bruce Oka, term ending April 27, 2013, to the Sunshine Ordinance Task Force.

October 04, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 04, 2012 Rules Committee - RECOMMENDED

October 16, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120977

I hereby certify that the foregoing Motion was APPROVED on 10/16/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120958 MOTION NO. M12-123

[Appointment - California State Association of Counties - Supervisor Eric Mar]

Motion appointing Supervisor Eric Mar, term ending November 28, 2013, to the California State Association of Counties Board of Directors.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoints Supervisor Eric Mar, member of the Board of Supervisors, as a member to the California State Association of Counties Board of Directors, for the term specified:

Supervisor Eric Mar, succeeding himself, term expired, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a one-year term ending November 28, 2013.

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City and County of San Francisco

Tails

Motion: M12-123

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120958 **Date Passed:** October 16, 2012

Motion appointing Supervisor Eric Mar, term ending November 28, 2013, to the California State Association of Counties Board of Directors.

October 04, 2012 Rules Committee - RECOMMENDED..

October 16, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague and Wiener
Excused: 1 - Mar

File No. 120958

I hereby certify that the foregoing Motion was APPROVED on 10/16/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 120978 **MOTION NO.** M12-124

[Final Map 7086 - 248 Ocean Avenue]

Motion approving Final Map 7086, a Five Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 248 Ocean Avenue being a subdivision of Lot 009 in Assessors Block No. 3211 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 7086", comprising 2 sheets, approved September 26, 2012, by Department of Public Works Order No. 180,694 is hereby approved and said map is adopted as an Official Final Map 7086; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated May 17, 2012, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:	DESCRIPTION APPROVED:
	Bruce St
Mohammed Nuru	Bruce R. Storrs, PLS
Director of Public Works	City and County Surveyor

City and County of San Francisco

Tails

Motion: M12-124

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 120978 **Date Passed:** October 16, 2012

Motion approving Final Map 7086, a Five Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 248 Ocean Avenue being a subdivision of Assessors Block No. 3211, Lot No. 009 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

October 16, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120978

I hereby certify that the foregoing Motion was APPROVED on 10/16/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120979 **MOTION NO.** M12-125

[Final Map 7077 - 38 Harriet Street]

Motion approving Final Map 7077, a 23 Unit Residential Condominium Project, located at 38 Harriet Street being a subdivision of Lot 243 in Assessors Block No. 3731 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 7077", comprising 3 sheets, approved September 18, 2012, by Department of Public Works Order No. 180,661 is hereby approved and said map is adopted as an Official Final Map 7077; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated May 2, 2012, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Mohammed Nuru
Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-125

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120979 **Date Passed:** October 16, 2012

Motion approving Final Map 7077, a 23 Unit Residential Condominium Project, located at 38 Harriet Street being a subdivision of Assessors Block No. 373, Lot No. 243 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

October 16, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120979

I hereby certify that the foregoing Motion was APPROVED on 10/16/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120995 **MOTION NO.** M12-126

[Final Map 7186 - 537-541 Natoma Street]

Motion approving Final Map 7186, a 13 Residential Unit Condominium Project, located at 537 – 541 Natoma Street being a subdivision of Lot 047 in Assessors Block No. 3726 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 7186", comprising 2 sheets, approved September 26, 2012, by Department of Public Works Order No. 180,695 is hereby approved and said map is adopted as an Official Final Map 7186; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated June 25, 2012, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Mohammed Nuru
Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco
Tails
Motion: M12-126

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120995 **Date Passed:** October 16, 2012

Motion approving Final Map 7186, a 13 Residential Unit Condominium Project, located at 537-541 Natoma Street being a subdivision of Assessors Block No. 3726, Lot No. 047 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

October 16, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120995

I hereby certify that the foregoing Motion was APPROVED on 10/16/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120939 MOTION NO. M12-127

[Revising the 2012 Budget and Legislative Analyst's Performance Audit Schedule]

Motion revising the Budget and Legislative Analyst's 2012 Performance Audit Schedule to revise the priorities as follows: 1) Department of Public Health and Human Services Agency management of professional services contracts; 2) Adult Probation and Sheriff's departments implementation of Public Safety Realignment; and 3) City departments management and oversight of the former San Francisco Redevelopment Agency assets and functions.

WHEREAS, the Board of Supervisors approved the Budget and Legislative Analyst's 2012 performance audit schedule and set the priorities on March 6, 2012; and

WHEREAS, legislation pertaining to State AB 1484 and the Successor Agency to the Former Redevelopment Agency is currently pending before the Board of Supervisors; now, therefore, be it

MOVED, That the Budget and Legislative Analyst is hereby directed as a first priority to conduct a performance audit of the Department of Public Health's and Human Services Agency's management of professional services contracts, including how the Department determines the need for professional services, and measures and reports service levels and changes; policies and procedures for contract performance and performance measurement; and department-wide contracting policies and compliance; and, be it

FURTHER MOVED, That the Budget and Legislative Analyst is hereby directed as a second priority to conduct a performance audit of the Adult Probation and Sheriff Departments' implementation of Public Safety Realignment, including (a) increases in caseload and average jail population resulting from the transfer of certain offenders from the State to the County, (b) the Adult Probation and Sheriff's Departments' implementation of new

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programs to support the transfer of these offenders, including implementation schedules, program costs, performance measures, and outcomes; and (c) Adult Probation and Sheriff's Departments' staffing levels to support the transfer of these offenders; and, be it

FURTHER MOVED, That the Budget and Legislative Analyst is hereby directed as a third priority to conduct a performance audit of the transfer of the former San Francisco Redevelopment Agency's (SFRA) assets and functions to the City, including how SFRA staff, assets and functions are assigned to City departments; City departments' management and performance of development functions previously the responsibility of the SFRA; and City departments' management of assets previously the responsibility of the SFRA.

City and County of San Francisco
Tails
Motion: M12-127

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120939 **Date Passed:** October 23, 2012

Motion revising the Budget and Legislative Analyst's 2012 Performance Audit Schedule to revise the priorities as follows: 1) Department of Public Health and Human Services Agency management of professional services contracts; 2) Adult Probation and Sheriff's departments implementation of Public Safety Realignment; and 3) City departments management and oversight of the former San Francisco Redevelopment Agency assets and functions.

September 27, 2012 Government Audit and Oversight Committee - CONTINUED

October 11, 2012 Government Audit and Oversight Committee - RECOMMENDED..

October 23, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Chu

File No. 120939

I hereby certify that the foregoing Motion was APPROVED on 10/23/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 121025 MOTION NO. M12-128

[City Employees to Assist the Department of Elections - November 6, 2012 Consolidated Primary Election]

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 6, 2012 consolidated primary election.

WHEREAS, San Francisco Charter section 13.104.5 prohibits City employees and officers (other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission) from performing "any function relating to the conduct of an election;" and,

WHEREAS, Charter section 13.104.5 authorizes the Board of Supervisors, upon the request of the Elections Commission, to waive this prohibition by motion; and,

WHEREAS, On April 18, 2012, the Elections Commission requested that the Board of Supervisors waive this prohibition to permit City employees to assist the Department of Elections with the June 5, 2012 election; now, therefore, be it

MOVED, the Board of Supervisors waives the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections before, during and after the June 5, 2012 election.

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City and County of San Francisco

Tails

Motion: M12-128

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121025 **Date Passed:** October 23, 2012

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 6, 2012, Consolidated Primary Election.

October 23, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Chu

File No. 121025

I hereby certify that the foregoing Motion was APPROVED on 10/23/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120955 **MOTION NO.** M12-129

[Appointments, Balboa Park Station Community Advisory Committee]

Motion appointing Nicole Agbayani, Rita Evans, David Mauroff, William L. Walker, Daniel Weaver, and Veronica Garcia, terms to be determined, to the Balboa Park Station Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Balboa Park Station Community Advisory Committee, pursuant to the provisions in the Board of Supervisors Resolution No. 63-12, for the terms specified:

Nicole Agbayani, seat 1, new appointment, must represent Muni riders' interests in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Rita Evans, seat 2, new appointment, must represent BART riders' interests in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

David Mauroff, seat 3, new appointment, must represent pedestrians' and bicycles' interests in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

William L. Walker, seat 4, new appointment, must represent students, faculty and staff (particularly from City College or other area schools) in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Daniel Weaver, seat 5, new appointment, must represent the senior/disabled community in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

Veronica Garcia, seat 8, new appointment, must represent youth and families in the neighborhoods served by Balboa Park Station, for a two-year term to be determined.

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City and County of San Francisco
Tails
Motion: M12-129

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120955 **Date Passed:** October 30, 2012

Motion appointing Nicole Agbayani, Rita Evans, David Mauroff, William L. Walker, Daniel Weaver, and Veronica Garcia, terms to be determined, to the Balboa Park Station Community Advisory Committee.

October 04, 2012 Rules Committee - CONTINUED TO CALL OF THE CHAIR

October 18, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 18, 2012 Rules Committee - RECOMMENDED..

October 30, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Chu

File No. 120955

I hereby certify that the foregoing Motion was APPROVED on 10/30/2012 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

FILE NO. 121005 MOTION NO. M12-130

[Appointment, Graffiti Advisory Board]

Motion appointing Michael Grgich, term ending April 10, 2013, to the Graffiti Advisory Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Graffiti Advisory Board, pursuant to the provisions of San Francisco Administrative Code Section 5.170, for the term specified:

Michael Grgich, seat 12, succeeding Nino Parker, term expired, must represent youth groups who provide services for juveniles involved in alternative programs for graffiti diversion, for the unexpired portion of a two-year term ending April 10, 2013.

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City and County of San Francisco
Tails
Motion: M12-130

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121005 **Date Passed:** October 30, 2012

Motion appointing Michael Grgich, term ending April 10, 2013, to the Graffiti Advisory Board.

October 18, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

October 18, 2012 Rules Committee - RECOMMENDED..

October 30, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Chu

File No. 121005

I hereby certify that the foregoing Motion was APPROVED on 10/30/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 121080 MOTION NO. M12-131

[Committee of the Whole - Real Property Leases - 110-12th Street, 875 Stevenson Street, and 1155 Market Street]

Motion directing the Board of Supervisors to hold a public hearing on November 6, 2012, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting Resolutions associated with various real property leases located at 110-12th Street, 875 Stevenson Street, and 1155 Market Street (File Nos. 121046, 121047, 121048).

MOVED, That the Board of Supervisors convene as a Committee of the Whole on November 6, 2012, at 3:00 p.m., to conduct a public hearing on Resolutions: 1) Resolution authorizing the lease of 10,469 sq. ft. of space at 110-12th Street with the St. James Family Partnership, L.P., for use by the Office of Contract Administration's ReproMail for the term of approximately ten years commencing on February 1, 2013 and terminating January 31, 2023 for the renovation of the property; and 2) Resolution authorizing the Fourth Amendment to Lease of 875 Stevenson Street floors 1, 3 and 4, terminating said lease with SRI Nine Market Square, LLC for the renovation of the property; and 3) Resolution authorizing the lease of approximately 103,501 sq. ft. of space at 1155 Market Street with 1155 SF Partners, LLC, for use by various City Departments for the term of approximately ten years commencing January 15, 2013, and terminating on January 14, 2023 for renovation of the property.

GOVERNMENT
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City and County of San Francisco

Tails

Motion: M12-131

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121080 **Date Passed:** November 06, 2012

Motion directing the Board of Supervisors to hold a public hearing on November 6, 2012, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting Resolutions associated with various real property leases located at 110-12th Street, 875 Stevenson Street, and 1155 Market Street (File Nos. 121046, 121047, 121048).

November 06, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121080

I hereby certify that the foregoing Motion was APPROVED on 11/6/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 121079 MOTION NO. M12-132

[2013 Board of Supervisors Regular Meeting Schedule]

Motion establishing the 2013 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 1, January 8, January 22, February 19, May 28, July 2, October 15, November 12, and December 3; and by further canceling all Board and Committee meetings during the summer and winter breaks from July 31 through August 30, and December 18 through December 31.

WHEREAS, Pursuant to Charter Sections 2.103 and 13.101, the Board of Supervisors (Board) shall meet for an Inaugural meeting at 12:00 noon on the eighth day of January, following the date of an election; and

WHEREAS, The Board's Rules of Order, Section 6.2, states the Board shall hold a regular meeting in the Legislative Chamber in City Hall each Tuesday at 2:00 pm, unless it is a holiday, in which case the meeting shall be canceled; and

WHEREAS, The Rules of Order Section 6.2 also states the Board shall not meet during the week after Thanksgiving, nor between December 24 and December 31; and

WHEREAS, Independence Day, July 4, 2013, is not subject to Board Rule 6.2; and should the Board wish to observe the July 4th holiday shall cancel the regular Board meeting on Tuesday, July 2, 2013; and

WHEREAS, Similar to other sitting legislative bodies in the United States, the Board has established recess periods during the summer and winter which Members of the Board may plan to be away, without missing any Board or Committee meetings or other important public business, and without causing difficulties in achieving a quorum; and

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WHEREAS, The Board is constrained by certain administrative and legislative deadlines and may decide to meet during the week of January 8; and/or on August 6 to conduct the City's business; now, therefore, be it

MOVED, That the following Board meetings, following a Monday holiday are canceled: January 1 (New Year's Day); January 22 (Martin Luther King Jr. Day); February 19 (Presidents Day); May 28 (Memorial Day); October 15 (Columbus Day); November 12 (Veterans Day); December 3 (week after Thanksgiving); and, be it

FURTHER MOVED, The regular Board meeting on January 8, 2013, is canceled in order to hold an Inaugural meeting at 12:00 noon on January 8; and be it

FURTHER MOVED, In observance of Independence Day, the regular Board meeting on July 2, is canceled; and be it

FURTHER MOVED, That pursuant to the established tradition of summer and winter recess periods, the Board and Committee meetings scheduled from July 31 through August 30, and December 18 through December 31, are canceled; and, be it

FURTHER MOVED, That in the event of a Mayoral veto of the 2013-2014 budget, the Board will conduct a meeting on August 6.

City and County of San Francisco

Tails

Motion: M12-132

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121079 **Date Passed:** November 06, 2012

Motion establishing the 2013 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 1, January 8, January 22, February 19, May 28, July 2, October 15, November 12, and December 3; and by further canceling all Board and Committee meetings during the summer and winter breaks from July 31 through August 30, and December 18 through December 31.

November 06, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121079

I hereby certify that the foregoing Motion was APPROVED on 11/6/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 121059 **MOTION NO.** M12-133

[Appointment - Commission on the Aging Advisory Council]

Motion appointing Catherine Rose Russo, term ending March 31, 2014, to the Commission on the Aging Advisory Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Commission on the Aging Advisory Council, pursuant to the provisions of San Francisco Administrative Code, Section 5.54, for the term specified:

Catherine Rose Russo, seat 6, succeeding herself, term expired, must be a nominee of District 7 Supervisor, for the unexpired portion of a two-year term ending March 31, 2014.

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Tails

Motion: M12-133

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121059 **Date Passed:** November 20, 2012

Motion appointing Catherine Rose Russo, term ending March 31, 2014, to the Commission on the Aging Advisory Council.

November 01, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

November 01, 2012 Rules Committee - RECOMMENDED..

November 20, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121059

I hereby certify that the foregoing Motion was APPROVED on 11/20/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 120850 MOTION NO. M12-134

[Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1101-1103 Dolores Street]

Motion approving decision of the Department of Public Works and approving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

WHEREAS, The Planning Department found the subject Tentative Parcel Map in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) and found it consistent with the City's General Plan and priority policy findings of Planning Code Section 101.1. Said determination is on file with the Clerk of the Board of Supervisors in File No. 120849 and is incorporated herein by reference; and,

WHEREAS, The Department of Public Works, in a decision dated August 9, 2012, approved a Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. Said determination is on file with the Clerk of the Board of Supervisors in File No. 120849 and is incorporated herein by reference; and,

WHEREAS, On August 17, 2012, Lawrence Badiner, filed a timely appeal to the decision of the Department of Public Works; and,

WHEREAS, On September 18, 2012, this Board held a duly noticed public hearing to consider the appeal of the Tentative Parcel Map filed by Appellant; and,

WHEREAS, This Board has reviewed and considered the subject Map, the appeal letter, the other written records before the Board of Supervisors, and heard testimony and received public comment regarding the subject Map; now, therefore, be it

GOVERNMENT
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MOVED, That the Board hereby adopts as its own the Planning Department's environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1 concerning a Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033; and, be it

FURTHER MOVED, That the Board approves the decision of the Department of Public Works concerning the Tentative Parcel Map and hereby approves said Map.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco
Tails
Motion: M12-134

File Number: 120850 **Date Passed:** November 20, 2012

Motion approving decision of the Department of Public Works and approving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works.

September 18, 2012 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

October 23, 2012 Board of Supervisors - CONTINUED

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Excused: 1 - Chu

November 20, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120850

I hereby certify that the foregoing Motion was APPROVED on 11/20/2012 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

FILE NO. 121088 MOTION NO. M12-135

[Committee of the Whole - December 11, 2012 - Public Hearing to Acquire Temporary Construction Licenses for Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension Project]

Motion that the Board of Supervisors hold a public hearing on December 11, 2012, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of temporary construction licenses for various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension Project.

MOVED, That the Board of Supervisors shall hold a public hearing on December 11, 2012, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of temporary construction licenses for the following real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension Project:

- 1 Stockton Street #1 (File No. 121090)
  (Assessor's Parcel Block No. 0327, Lot No. 025)
- 1000-1032 Stockton Street #2 (File No. 121091)
  (Assessor's Parcel Block No. 0193, Lot No. 019)
- 1455 Stockton Street #3 (File No. 121092)
  (Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040)
- 19 Stockton Street #4 (File No. 121093)
  (Assessor's Parcel Block No. 0327, Lot No. 005)
- 212 Stockton Street #5 (File No. 121094)
  (Assessor's Parcel Block No. 0309, Lot No. 011)

- 216 Stockton Street #6 (File No. 121095)
  (Assessor's Parcel Block No. 0309, Lot No. 013)
- 250-4th Street #7 (File No. 121096)
  (Assessor's Parcel Block No. 3733, Lot No. 008)
- 39 Stockton Street #8 (File No. 121097)
  (Assessor's Parcel Block No. 0327, Lot No. 004)
- 801 Market Street #9 (File No. 121098)
  (Assessor's Parcel Block No. 3705, Lot No. 048A)
- 930 Stockton Street #10 (File No. 121099)
  (Assessor's Parcel Block No. 0210, Lot No. 047)
- 950 Stockton Street #11 (File No. 121100)
  (Assessor's Parcel Block No. 0210A, Lot Nos. 002-103)

City and County of San Francisco

Tails

Motion: M12-135

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121088 **Date Passed:** November 20, 2012

Motion that the Board of Supervisors hold a public hearing on December 11, 2012, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of temporary construction licenses for various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension Project.

November 20, 2012 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar and Olague
Absent: 2 - Cohen and Wiener

File No. 121088

I hereby certify that the foregoing Motion was APPROVED on 11/20/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 121058 MOTION NO. M12-136

[Appointments, Veterans Affairs Commission]

Motion appointing M. Lee Burnette, John Gallagher, and Michael Maffei, terms ending January 31, 2016, to the Veterans Affairs Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Veterans Affairs Commission, pursuant to the provisions of the San Francisco Administrative Code, Section 5.102, for the terms specified:

M. Lee Burnette, seat 3, succeeding Anthony Alfidi, resigned, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2016.

John Gallagher, seat 6, succeeding George Gibbs, term expired, must be a veteran with a physical disability, for the unexpired portion of a four-year term ending January 31, 2016.

Michael Maffei, seat 9, succeeding Dara Wong, term expired, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2016.

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City and County of San Francisco
Tails
Motion: M12-136

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121058 **Date Passed:** December 04, 2012

Motion appointing M. Lee Burnette, John Gallagher, and Michael Maffei, terms ending January 31, 2016, to the Veterans Affairs Commission.

November 01, 2012 Rules Committee - CONTINUED TO CALL OF THE CHAIR

November 15, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

November 15, 2012 Rules Committee - RECOMMENDED..

December 04, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague and Wiener
Absent: 1 - Kim

File No. 121058

I hereby certify that the foregoing Motion was APPROVED on 12/4/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 121101 **MOTION NO. M12-137**

[Appointment, Bicycle Advisory Committee]

Motion appointing Timothy Doherty, term ending November 19, 2014, to the Bicycle Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Bicycle Advisory Committee, pursuant to the provisions of the Administrative Code Section 5.130 et seq.; and amended by Ordinance No. 179-02, for the term specified:

Timothy Doherty, seat 8, succeeding himself, term expired, must be a nominee of District 8 Supervisor. The member shall serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for a term ending November 19, 2014.

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City and County of San Francisco
Tails
Motion: M12-137

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121101 **Date Passed:** December 04, 2012

Motion appointing Timothy Doherty, term ending November 19, 2014, to the Bicycle Advisory Committee.

November 15, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

November 15, 2012 Rules Committee - RECOMMENDED..

December 04, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague and Wiener
Absent: 1 - Kim

File No. 121101

I hereby certify that the foregoing Motion was APPROVED on 12/4/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

GOVERNMENT
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FILE NO. 121103 JUL 22 2013 MOTION NO. M12-138

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[Appointments, Shelter Monitoring Committee]

Motion appointing Julia D'Antonia, Jennie Parrilla, Nicholas Kimura, Andrew Mendes, and Isaac Langford, terms ending November 23, 2014, to the Shelter Monitoring Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Shelter Monitoring Committee, pursuant to the provisions of Ordinance No. 283-04 and Article XII of Article 20 of the San Francisco Administrative Code, for the terms specified:

Julia D'Antonia, seat 1, succeeding Simon Martinez, term expiring November 23, 2012, must be homeless or formerly homeless within the 3 years prior to appointment and living with their homeless child under age 18, for a two-year term ending November 23, 2014.

Jennie Parrilla, seat 2, succeeding Judy Kerns, resigned, must be homeless or formerly homeless within the 3 years prior to appointment with a disability, for a two-year term ending November 23, 2014.

Nicholas Kimura, seat 3, succeeding Deborah Muise, term expiring November 23, 2012, must have experience providing direct services to the homeless through a community setting, for a two-year term ending November 23, 2014.

Andrew Mendes, 4, succeeding Ramon Lacayo, term expiring November 23, 2012, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for a two-year term ending November 23, 2014.

Isaac Langford, seat 5, succeeding Maxine Pauson, term expiring November 23, 2012, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for a two-year term ending November 23, 2014.

City and County of San Francisco
Tails
Motion: M12-138

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121103 **Date Passed:** December 04, 2012

Motion appointing Julia D'Antonia, Jennie Parrilla, Nicholas Kimura, Andrew Mendes, and Isaac Langford, terms ending November 23, 2014, to the Shelter Monitoring Committee.

November 15, 2012 Rules Committee - PREPARED IN COMMITTEE AS A MOTION

November 15, 2012 Rules Committee - RECOMMENDED..

December 04, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague and Wiener
Absent: 1 - Kim

File No. 121103

I hereby certify that the foregoing Motion was APPROVED on 12/4/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

AMENDED IN COMMITTEE
11/1/12

FILE NO. 121057 MOTION NO. M12-139

[Board of Supervisors' Rules of Order Amendment]

Motion amending the Board of Supervisors' Rules of Order, in their entirety, to correct clerical corrections, proper placement of sections, and additional updates.

Pursuant to San Francisco Charter Section 2.105, the Board of Supervisors shall meet and transact its business according to Rules which it shall adopt; and

Pursuant to Board of Supervisors Rule 4.38 all proposed amendments to the Rules of Order shall be referred to the Rules Committee for public hearing and recommendation; now, therefore, be it

MOVED, That the Board of Supervisors hereby amends the Board of Supervisors' Rules of Order, in their entirety, on file with the Clerk of the Board of Supervisors in File No. 121057, which is hereby declared to be part of this Motion as if set forth fully herein; and be it

FURTHER MOVED, That the effective date for the amended Board of Supervisors' Rules of Order shall be January 8, 2013.

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City and County of San Francisco

Tails

Motion: M12-139

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 121057 **Date Passed:** December 04, 2012

Motion amending the Board of Supervisors' Rules of Order, in their entirety, to correct clerical corrections, proper placement of sections, and additional updates.

November 01, 2012 Rules Committee - AMENDED

November 01, 2012 Rules Committee - CONTINUED AS AMENDED

November 15, 2012 Rules Committee - RECOMMENDED

December 04, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Absent: 1 - Cohen

File No. 121057

I hereby certify that the foregoing Motion was APPROVED on 12/4/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the Whole in Committee
Bearing New Title – 11/15/12

FILE NO. 121087 MOTION NO. M12-140

[Appointment, Board of Appeals - Darryl Honda]

Motion approving the Mayor's appointment of Darryl Honda to the Board of Appeals for the term ending July 1, 2016.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Darryl Honda to the Board of Appeals, received by the Clerk of the Board on October 30, 2012; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination of Darryl Honda to the Board of Appeals term ending July 1, 2016.

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City and County of San Francisco
Tails
Motion: M12-140

File Number: 121087 **Date Passed:** December 04, 2012

Motion approving the Mayor's appointment of Darryl Honda to the Board of Appeals for the term ending July 1, 2016.

November 15, 2012 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

November 15, 2012 Rules Committee - RECOMMENDED AS AMENDED

December 04, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Absent: 1 - Cohen

File No. 121087

I hereby certify that the foregoing Motion was APPROVED on 12/4/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo

Angela Calvillo
Clerk of the Board

FILE NO. 121141 MOTION NO. M12-141

[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Theodore Ellington]

Motion confirming the Mayor's appointment of Theodore Ellington to the Commission on Community Investment and Infrastructure, Seat 1, for the unexpired portion of a four-year term ending November 3, 2016.

WHEREAS, Ordinance No. 215-12 was adopted by the Board of Supervisors and signed by Mayor Edwin Lee on October 4, 2012; and,

WHEREAS, Pursuant to Ordinance No. 215-12, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Theodore Ellington to the San Francisco Commission on Community Investment and Infrastructure, received by the Clerk of the Board on November 20, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Theodore Ellington to the San Francisco Commission on Community Investment and Infrastructure, Seat 1, which must be a resident of the supervisorial district that includes the largest amount of cumulative area of the Major Approved Development Projects (District 10), for the unexpired portion of a four-year term ending November 3, 2016.

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Motion: M12-141

File Number: 121141 **Date Passed:** December 11, 2012

Motion confirming the Mayor's appointment of Theodore Ellington to the Commission on Community Investment and Infrastructure, seat 1, for the unexpired portion of a four-year term ending November 3, 2016.

December 06, 2012 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

December 11, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121141

I hereby certify that the foregoing Motion was APPROVED on 12/11/2012 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

FILE NO. 121142 MOTION NO. M12-142

[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Marily Mondejar]

Motion confirming the Mayor's appointment of Marily Mondejar to the Commission on Community Investment and Infrastructure, Seat 2, for the unexpired portion of a two-year term ending November 3, 2014.

WHEREAS, Ordinance No. 215-12 was adopted by the Board of Supervisors and signed by Mayor Edwin Lee on October 4, 2012; and,

WHEREAS, Pursuant to Ordinance No. 215-12, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Marily Mondejar to the San Francisco Commission on Community Investment and Infrastructure, received by the Clerk of the Board on November 20, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Marily Mondejar to the San Francisco Commission on Community Investment and Infrastructure, Seat 2, which must be a resident of the supervisorial district that includes the second largest amount of cumulative area of the Major Approved Development Projects (District 6), for the unexpired portion of a two-year term ending November 3, 2014.

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Motion: M12-142

File Number: 121142 **Date Passed:** December 11, 2012

Motion confirming the Mayor's appointment of Marily Mondejar to the Commission on Community Investment and Infrastructure, seat 2, for the unexpired portion of a two-year term ending November 3, 2014.

December 06, 2012 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

December 11, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121142

I hereby certify that the foregoing Motion was APPROVED on 12/11/2012 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

FILE NO. 121143 MOTION NO. M12-143

[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Christine Johnson]

Motion confirming the Mayor's appointment of Christine Johnson to the Commission on Community Investment and Infrastructure, Seat 3, for the unexpired portion of a four-year term ending November 3, 2016.

WHEREAS, Ordinance No. 215-12 was adopted by the Board of Supervisors and signed by Mayor Edwin Lee on October 4, 2012; and,

WHEREAS, Pursuant to Ordinance No. 215-12, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Christine Johnson to the San Francisco Commission on Community Investment and Infrastructure, received by the Clerk of the Board on November 20, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Christine Johnson to the San Francisco Commission on Community Investment and Infrastructure, Seat 3, for the unexpired portion of a four-year term ending November 3, 2016.

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Motion: M12-143

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File Number: 121143 **Date Passed:** December 11, 2012

Motion confirming the Mayor's appointment of Christine Johnson to the Commission on Community Investment and Infrastructure, seat 3, for the unexpired portion of a four-year term ending November 3, 2016.

December 06, 2012 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

December 11, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121143

I hereby certify that the foregoing Motion was APPROVED on 12/11/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 121144 MOTION NO. M12-144

[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Mara Rosales]

Motion confirming the Mayor's appointment of Mara Rosales to the Commission on Community Investment and Infrastructure, Seat 4, for the unexpired portion of a two-year term ending November 3, 2014.

WHEREAS, Ordinance No. 215-12 was adopted by the Board of Supervisors and signed by Mayor Edwin Lee on October 4, 2012; and,

WHEREAS, Pursuant to Ordinance No. 215-12, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Mara Rosales to the San Francisco Commission on Community Investment and Infrastructure, received by the Clerk of the Board on November 20, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Mara Rosales to the San Francisco Commission on Community Investment and Infrastructure, Seat 4, for the unexpired portion of a two-year term ending November 3, 2014.

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Motion: M12-144

File Number: 121144 **Date Passed:** December 11, 2012

Motion confirming the Mayor's appointment of Mara Rosales to the Commission on Community Investment and Infrastructure, seat 4, for the unexpired portion of a two-year term ending November 3, 2014.

December 06, 2012 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

December 11, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121144

I hereby certify that the foregoing Motion was APPROVED on 12/11/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 121145 MOTION NO. M12-145

[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Darshan Singh]

Motion confirming the Mayor's appointment of Darshan Singh to the Commission on Community Investment and Infrastructure, Seat 5, for the unexpired portion of a four-year term ending November 3, 2016.

WHEREAS, Ordinance No. 215-12 was adopted by the Board of Supervisors and signed by Mayor Edwin Lee on October 4, 2012; and,

WHEREAS, Pursuant to Ordinance No. 215-12, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Darshan Singh to the San Francisco Commission on Community Investment and Infrastructure, received by the Clerk of the Board on November 20, 2012; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Darshan Singh to the San Francisco Commission on Community Investment and Infrastructure, Seat 5, for the unexpired portion of a four-year term ending November 3, 2016.

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Motion: M12-145

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File Number: 121145 **Date Passed:** December 11, 2012

Motion confirming the Mayor's appointment of Darshan Singh to the Commission on Community Investment and Infrastructure, seat 5, for the unexpired portion of a four-year term ending November 3, 2016.

December 06, 2012 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

December 11, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121145

I hereby certify that the foregoing Motion was APPROVED on 12/11/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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FILE NO. 121119 JUL 22 2013 MOTION NO. M12-146

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[Affirming the Exemption Determination - San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project]

Motion affirming the determination by the Planning Department that the San Francisco Municipal Transportation Agency's (SFMTA) Fell and Oak Streets Bikeways Project is exempt from environmental review.

WHEREAS, The Planning Department has determined that the SFMTA Fell and Oak Streets Bikeways Project is exempt from environmental review under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31. The proposed project involves removing parking lanes and adding bike lanes, as well as other related changes to Fell and Oak Streets between Baker and Scott Streets. By letter to the Clerk of the Board, Mark Brennan, Howard Chabner, and Ted Loewenberg (Appellants), received by the Clerk's Office on November 2, 2012, appealed the exemption determination. The Appellants provided a copy a Certificate of Determination, Exemption From Environmental Review, issued on October 4, 2012, which stated that the Planning Department determined that the project was exempt under Classes 1 and 4 of the CEQA Guidelines (14 Cal. Code Reg. §15000 et seq.). Appellants also provided a copy of the SFMTA Board of Directors' Resolution No.12-129 approving the proposed work on October 16, 2012; and

WHEREAS, On December 11, 2012, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellants, and following the public hearing affirmed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 121118 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination; and be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial project changes, no substantial changes in project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the proposed project is exempt from environmental review; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the project qualifies for a exemption determination under CEQA.

City and County of San Francisco
Tails
Motion: M12-146

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 121119 **Date Passed:** December 11, 2012

Motion affirming the determination by the Planning Department that the San Francisco Municipal Transportation Agency's (SFMTA) Fell and Oak Streets Bikeways Project is exempt from environmental review.

December 11, 2012 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121119

I hereby certify that the foregoing Motion was APPROVED on 12/11/2012 by the Board of Supervisors of the City and County of San Francisco.

for

Angela Calvillo
Clerk of the Board

FILE NO. 121148 **MOTION NO.** M12-147

[Final Map 6901 - 1190 Mission Street]

Motion approving Final Map 6901, a 2 Lot Subdivision and a 418 Residential Unit and 2 Commercial Unit Mixed-Use Condominium Project, located at 1190 Mission Street, being a subdivision of Assessors Block No. 3702, Lot No. 308 and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1.

MOVED, That the certain map entitled "FINAL MAP 6901", comprising 2 sheets, approved November 15, 2012 by Department of Public Works Order No. 180, 820 is hereby approved and said map is adopted as an Official Final Map 6901; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated November 15, 2011, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

11/21/12

Mohammed Nuru

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco

Tails

Motion: M12-147

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 121148 **Date Passed:** December 11, 2012

Motion approving Final Map 6901, a 2 Lot Subdivision and a 418 Residential Unit and 2 Commercial Unit Mixed-Use Condominium Project, located at 1190 Mission Street being a subdivision of Assessors Block No. 3702, Lot No. 308, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1.

December 11, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague and Wiener
Absent: 1 - Mar

File No. 121148

I hereby certify that the foregoing Motion was APPROVED on 12/11/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 121182 MOTION NO. M12-148

[Request for Proposals - Budget and Legislative Analysts Services]

Motion directing the Clerk of the Board to initiate a Request for Proposals process for Budget and Legislative Analyst services.

WHEREAS, Charter Section 2.117 states that the Board of Supervisors shall appoint and may remove a Budget Analyst and such appointment shall be made solely on the basis of qualifications by education, training and experience for the position; and

WHEREAS, Section 21.1 of the Administrative Code requires that contracts for services be procured through a competitive selection process unless the Board of Supervisors requests a sole source contract; and

WHEREAS, The Board of Supervisors wishes to engage in an open and fair process to select its Budget Analyst; now, therefore, be it

MOVED, That the Clerk of the Board shall initiate a Request for Proposals process for Budget and Legislative Analyst services; and, be it

FURTHER MOVED, That the Clerk of the Board shall ensure that the process is fair and open; and, be it

FURTHER MOVED, That the minimum qualifications and selection criteria shall consist of education, training and experience for the position pursuant to the Charter; and, be it

FURTHER MOVED, That the Clerk of the Board shall ensure that the process complies with City laws and regulations; and, be it

FURTHER MOVED, That the Request for Proposals shall be well advertised to encourage responses from local business enterprises; and, be it

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FURTHER MOVED, That the selection panel shall be free of conflict, bias, and have the experience necessary to understand the research, analysis and advice needs of a legislative body; and, be it

FURTHER MOVED, That the Clerk of the Board is authorized and directed to take all actions necessary to implement the Request for Proposals pursuant to these policy directives of the Board and shall, after review of the proposals and recommendations of the selection panel described herein, submit a written recommendation to the Board.

City and County of San Francisco

Tails

Motion: M12-148

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121182 **Date Passed:** December 11, 2012

Motion directing the Clerk of the Board to initiate a Request for Proposals process for Budget and Legislative Analyst services.

December 11, 2012 Board of Supervisors - APPROVED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague and Wiener
Absent: 1 - Mar

File No. 121182

I hereby certify that the foregoing Motion was APPROVED on 12/11/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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